

PB# 00-20

**Cherry Valley
(Sub.)**

59-2-18.1 & 18.2

00-20

CHERRY VALLEY SUBDIVISION - LAKE RD
5 LOTS RESIDENTIAL (MJS ENGINEERING)

Approved 12/5/01

Map Number 261-01 City []
Section 59 Block 2 Lot 18.1 + 18.2 Town X Village New Windsor
Title: Cherry Valley - Lake Road

Dated: 6-29-01 Filed 12-7-01

Approved by James Petro

on 12-5-01

Record Owner Mary O'Brian Trust

DONNA L. BENSON
Orange County Clerk

Dated: 6-29-01 Filed 12-7-01
Approved by James Petto
on 12-5-01
Record Owner Mary O'Brian Trust

DONNA L. BENSON
Orange County Clerk

PA 727-2000

Sewer Main Extension and Subdivision Engineer's Report

Cherry Valley — Lake Road
Town of New Windsor
Orange County, NY

Prepared for:

Vincent Dejana
68 Carlton Avenue
Port Washington, NY 11050

February 2001
(Revised: March 2001)

MJS ENGINEERING

MJS Engineering, PC
261 Greenwich Avenue
Goshen, NY 10924
(845) 291-8650

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Cherry Valley Builders, Inc., December 7, 2000

Appendix C: Well Completion and Water Quality Report

Appendix D: Flood Insurance Rate Map 360628 005B

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I. INTRODUCTION

Cherry Valley Builders, Inc. is proposing a five (5) lot subdivision in the Town of New Windsor, Orange County, NY. The project site sits at the North end of Beaver Dam Lake on the western shore. The subdivision consists of two (2) parcels: Section 59, Block 2, Lots 18.1 and 18.2. The area of these two parcels is 4.0082 acres total. The proposed lots will be accessed by a private drive and cul-de-sac approximately 230 feet long. The property will have direct access onto Lake Road, a Town of New Windsor maintained roadway.

Sanitary facilities will be an extension of the Moodna Creek Development, Ltd. system, which is an extension of the Town of Cornwall's system. Water will be supplied by individually drilled wells on each property.

II. SANITARY SEWER SYSTEM

The sewer extension will consist of 8 inch PVC SDR-35 sewer pipe with two (2) manholes, which will connect into an existing manhole along Lake Road. Sanitary sewer flow from this development is estimated at 375 GPD per dwelling for a total of 1,875 GPD. This is equivalent to 75 GPH, with a peak hourly discharge from this development estimated to be four (4) times the average flow or 5 GPM.

An agreement has been entered into on the 7th day of December 2000 between the sewer authority and the developer for four (4) additional residential lots (1,500 GPD). It was decided early on in the planning process that this existing lot was entitled to one (1) domestic connection (375 GPD) for a total flow of 1,875 GPD. We have attached as Appendix B the fully executed contract.

The sanitary sewer laterals for the individual lots will consist of 4 inch PVC SDR-35 sewer pipe with applicable cleanouts at 50 foot intervals. The slope of the laterals will be a minimum of 2%.

The subdivision street will be constructed as a private road with a full easement for any routine maintenance that might be needed for the sanitary district.

III. WATER SUPPLY

The project will be served by individually drilled wells and we have recently installed a well on proposed lot #2. As noted in the Well Completion Report (Appendix C), the well was drilled to a depth of 180 feet with a safe yield of 6 GPM. In addition a full water quality analysis was done with all parameters meeting the NYS Dept. of Health criteria for water quality.

IV. STORM DRAINAGE

Storm drainage for the project will be conveyed into grassed swales to underground conduits, which will go into a sumped outlet to trap any floatables that might discharge into Beaver Dam Lake.

Beaver Dam Lake (according to the Flood Insurance Rate Maps) has not been delineated for the 100-year flood elevation. Review of the outlet structure has led us to believe that there would be less than 1 foot additional height on Beaver Dam Lake during the 100-year storm event and the elevation of the outlet is approximately 2½ feet above the normal high water mark.

We have also provided a rip-rapped outlet protection to further protect the discharge into Beaver Dam Lake.

V. ADDITIONAL INFORMATION

This project received preliminary approval from the Town of New Windsor Planning Board on January 10, 2001. It also received a Negative Declaration for SEQR on that same date (Appendix A).

MJS ENGINEERING

261 Greenwich Avenue
Goshen, NY 10924

APPENDICES

MJS ENGINEERING

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APPENDIX A

January 10, 2001

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TOWN OF NEW WINDSOR

PLANNING BOARD

JANUARY 10, 2001

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JIM BRESNAN
RON LANDER
JERRY ARGENIO
THOMAS KARNAVEZOS

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. PETRO: I'd like to call the January 10, 2001 meeting of the Town of New Windsor Planning Board to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. PETRO: Has everyone had a chance to read the minutes dated October 25, 2000 and November 15, 2000?

MR. LANDER: Make the motion to approve.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded to

January 10, 2001

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PUBLIC HEARING - CONTINUED FROM 12/13/2000 MEETING

CHERRY VALLEY SUBDIVISION - LAKE ROAD

Mr. Michael Sandor from MJS Engineering appeared before the board for this proposal.

MR. PETRO: With all that, our first item we have public hearing which is continued from 12/13/2000 meeting, which is Cherry Valley Subdivision on Lake Road, MJS Engineering. This is a subdivision into five residential lots. Mark, what was the reason we kept this open? We didn't get back?

MR. EDSALL: Had to do with the time requirement for the lead agency selection not being completed. So the 30 days is now up but it wasn't up last time.

MR. PETRO: My point being mainly was technical, wasn't any outstanding issues?

MR. EDSALL: Purely procedural.

MR. SANDOR: My name is Michael Sandor and I'm here with Kenny Gass, who's the applicant. We were here last month, it was continuation of a public hearing. There were a few issues that were still, that we were asked to address and the main thing was the comments that were brought up by the Town Highway Superintendent regarding the size of the drainage crossing Lake Road and the addition of a catch basin. In addition, during the public hearing, the public raised a concern regarding the clearing limit or buffer line which we added around the property and a note which talked about the stone walls to remain and that's added under note, general, well, actually, notes number 7 and 8, 6 and 7, I'm sorry.

MR. LANDER: Supposed to be 20 feet instead of 10, am I wrong? I can't remember it.

MR. PETRO: Mark, do you recall that?

MR. EDSALL: I'm going to look at my notes right now.

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MR. LANDER: And we have the property line, center line of the road.

MR. PETRO: We have it here ten feet.

MR. LANDER: Property line to the center of the road, Mr. Chairman.

MR. EDSALL: Yeah, ten foot.

MR. PETRO: Andy Krieger, just look at the note number 3C and you don't have to say anything if it looks fine we'll move on while we're discussing other items, okay?

MR. KRIEGER: 3C on the comments?

MR. PETRO: Yes, under Mark's comments. Can I have a motion to assume lead agency?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board assume lead agency for the Cherry Valley subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: As Mark noted earlier that the 30 days has expired, that's why we assumed lead agency. Do we have to reopen this to the public? It's not a public hearing now we're going to review it or a continuation of the public hearing so it's automatically open?

MR. KRIEGER: You didn't close it, so it's, you're in the middle of it.

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MR. PETRO: Okay, is there anyone here who would like to speak on behalf of this application? Mr. Shaw?

MR. SHAW: I'll pass, thank you.

MR. PETRO: Let the minutes note that there's no one here attending for the public hearing or the second half of this public hearing. With that, I'll entertain a motion to close the public hearing.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board close the public hearing for the Cherry Valley subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Mark, what else do you have on these outstanding comments?

MR. LANDER: Andrew, maintenance agreement?

MR. KRIEGER: Yeah, just a second, let me first answer the question, is it the board's intention that the ten foot buffer zone exist only during construction?

MR. PETRO: No.

MR. LANDER: Forever.

MR. KRIEGER: That's what the note says, by saying during construction, the necessary implication there is after construction is over, it doesn't need to be maintained and that was not my understanding.

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MR. LANDER: It should be maintained.

MR. KRIEGER: So, aside from being, rather than being not explicit enough, it's actually there are too many words.

MR. PETRO: What does ten foot clearing mean? We don't want it cleared, we want a buffer zone, we want the trees and something for screening, we don't want a clearing.

MR. KRIEGER: Clearing buffer, I, the noun here is buffer, clearing is merely a modifier. It was not the--what you asked for was a buffer zone, it could say that instead of clearing buffer but that isn't the difference that I focus on, it's the during construction that I find particularly troublesome.

MR. PETRO: I understand that but I'm also on the other side of it, the clearing.

MR. KRIEGER: As long as they're changing it, clearing was not one of the words that was, that I remember being used.

MR. PETRO: Can you re-write number 6 somehow? You understand what we're talking about, take the word clearing out and off the map.

MR. KRIEGER: Take out during construction, just omit it and take it out, clearing.

MR. PETRO: Now, you want to go to the road?

MR. LANDER: Maintenance agreement for the record.

MR. KRIEGER: Yes, the words were agreed upon, I'm just looking at the form which was delivered to me, it appears to be executed in recordable form, it appears what I have here are original and copies.

MR. PETRO: We have highway approved on 1/10/2001 and fire approval on 1/8/2001.

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MR. PETRO: So evidently, the corrections to the plan and to the site were met with Mr. Kroll saying yes to this plan. Originally, he had said no, so we're all set with that. Can I have a motion to declare negative dec under the SEQRA process?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec under the SEQRA process for the Cherry Valley Lake Road subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO AYE
MR. BRESNAN AYE
MR. KARNAVEZOS AYE
MR. LANDER AYE
MR. PETRO AYE

MR. PETRO: All right, gentlemen, back to you on the plan, do you see anything else that you want to discuss? I think it's in pretty good shape, Mark, you don't have anything else other than these few comments.

MR. EDSALL: At this point, they do have to move on to the DEC and the health department so it would be appropriate to grant preliminary approval and let them move along.

MR. PETRO: You can, we'll do that, unless everybody votes no which I doubt very much is going to happen, then the only thing I would say is to change that note.

MR. SANDOR: Note number 6, I can revise that to say ten foot clearing buffer shall be provided or maintained around the perimeter of the subdivision.

MR. PETRO: Take the word clearing out, clearing means you're going to clear it.

NEG.
SEQRA

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MR. KRIEGER: Just put ten foot buffer zone.

MR. BABCOCK: Shall be provided around perimeter of subdivision.

MR. KRIEGER: Shall be maintained is sufficient, obviously, it has to be established to be maintained.

MR. PETRO: Better for you, why would you clear it?

MR. GASS: I probably wouldn't have cleared it anyway.

MR. PETRO: With that, gentlemen, if there's nothing else, I don't see anything to go over, so I'll take a motion to do preliminary approval for the Cherry Valley Lake Road subdivision.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board grant preliminary approval to the Cherry Valley Lake Road subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. GASS: Now that we have been granted preliminary approval, are we permitted to cut the road to make access?

MR. EDSALL: It's up to the board.

MR. PETRO: I don't necessarily have a problem, we'll poll the board, I think if we run into any problems and you're asked to stop, you're doing it at your own risk, all right, it's not a, not a nod of this board to say

PLIM.
APPROVAL

January 10, 2001

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that you now have final approval and you can do what you want.

MR. GASS: We understand.

MR. EDSALL: The only caution we should have is that they should implement soil erosion sediment control measures, especially since they're that close to the lake.

MR. PETRO: Not just for the planning board, but for other agencies, whatever you need to do and Mark or Mike, somebody from his department would check into it.

MR. GASS: Okay.

MR. PETRO: You understand you're proceeding at your own risk?

MR. GASS: I don't know if we're going to do it with the weather but in case we get a break in the weather, I'd like to.

MR. PETRO: Any of the board members have a problem?

MR. ARGENIO: No.

MR. PETRO: You're all set.

MR. GASS: Thank you.

MJS ENGINEERING

261 Greenwich Avenue
Goshen, NY 10924

APPENDIX B

AGREEMENT entered into this ^{7th} day of ^{Dec} November, 2000, between MOODNA CREEK DEVELOPMENT, LTD., a New York corporation with principal place of business at MILLPOND CONDOMINIUM, Mill Street, Cornwall, New York, mailing address c/o DAROE REALTY, 207 Lake Drive, Newburgh, New York 12550 hereafter called "MOODNA," and Cherry Valley Builders, Inc., a New York (corporation) (limited partnership) with principal place of business at 110 Cherry Valley Avenue, West Hempstead, New York 11552, hereinafter called "DEVELOPER"

WITNESSETH:

WHEREAS, MOODNA is engaged in the business of providing industrial and sanitary sewer services and has the control of the operations and capacity of the Moodna Creek Development Ltd. sewage treatment plant and system of the Town of Cornwall Majestic Sewer District hereafter referred to as "DISTRICT;" and

WHEREAS the DEVELOPER is the contract purchaser of a parcel of property tax map designation Section 59 Block 2, Lots 1.8 and 18.2, in the Town of New Windsor it intends to develop as a residential development, consisting of five (5) single-family residence units known as Cherry Valley - Lake Road, but requires central sanitary sewer service to secure necessary land use approvals; and

WHEREAS there is sewage treatment capacity owned and under control of MOODNA that can be allocated to and used by the DEVELOPER to provide sanitary sewer service for its development; and

WHEREAS the parties desire to enter into an Agreement to provide for those various matters.

NOW THEREFORE it is mutually agreed as follows:

1. MOODNA makes the following representations as to the following legal and factual matters:

A. The Towns of New Windsor and Cornwall entered into an agreement on August 18, 1970 by which the New Windsor sewage treatment plant would accept 1.25 mgpd of sewage from Cornwall. This is referred to as the New Windsor-Cornwall AGREEMENT.

B. The Town of Cornwall established the Majestic Sewer DISTRICT which included the former Majestic Weaving Company property, (hereafter MAJESTIC PROPERTY).

C. The Town of Cornwall entered into an Agreement on August 18, 1970 with Bethesda Properties Inc. (hereafter BETHESDA), which was the then owner of the MAJESTIC PROPERTY by which the services to Cornwall under the New Windsor-Cornwall Agreement were designated for and exclusively allocated to BETHESDA, referred to as contract total capacity. This is referred to as the Cornwall-Bethesda Agreement.

D. The Majestic Property its rights and appurtenances including the sanitary sewer system and capacity were acquired by Moodna Creek Development Ltd. (hereafter "MOODNA") by deed from Bethesda Properties Inc. dated November 20, 1985 recorded November 20, 1985 in Liber 2443 of deeds, page 108.

E. The Towns of New Windsor and Cornwall entered into an AGREEMENT on October 19, 1983 which amended the New Windsor-Cornwall Agreement. That amendment is referred to as New Windsor-Cornwall Amendment.

F. The Town of New Windsor and BETHESDA entered into an Agreement on August 5, 1977 by which certain matters were provided for between them. This is referred to as the New Windsor-Bethesda Agreement, Exhibit 4.

G. MOODNA by virtue of the terms of the deed described in D and as the owner of Unit 3 in Millpond Condominium owns the exclusive right to operate the system and utilize, allocate and dispose of daily discharge capacity.

H. The Towns of New Windsor and Cornwall have by agreement between them dated June 16, 1993 amended the New Windsor-Cornwall Agreement as amended to reduce the allocated capacity from 1.25 gpm to .650 gpd for Cornwall, and releasing back to New Windsor .600 gpd., hereinafter referred to as "released capacity".

I. Moodna has entered into agreements with Cornwall on June 14, 1993 to modify the Cornwall-Bethesda Agreement, and New Windsor on August 13, 1993 to modify the New Windsor-Bethesda Agreement so as to effectuate a procedure for the reduction in capacity to .650 mgpd for Cornwall and release back to New Windsor .600 mgpd.

J. Agreements referred to above in paragraphs A, C, E, F, H and I are in good standing and are in full force and effect.

2. DEVELOPER makes the following representations as to the following legal and factual matters:

A. It is the contract purchaser of real property (hereafter "PROJECT") located in the Town of New Windsor identified as tax map Section 59, Block 2, Lots 18.1 and 18.2.

B. The project is the premises known as Cherry Valley-Lake Road a 5 lot Subdivision.

3. MOODNA agrees to allocate and set aside for the exclusive, continuous and irrevocable use of DEVELOPER fifteen hundred (1500) gallons of daily sewage service discharge capacity per day, hereafter "ALLOCATED CAPACITY." MOODNA will execute such documents as may be required to irrevocably commit from the released capacity the allocation hereby made to DEVELOPER and MOODNA shall forebear daily from utilizing the ALLOCATED CAPACITY.

4. MOODNA will transfer, set over and assign from time to time and after payment has been received by MOODNA the ALLOCATED CAPACITY to DEVELOPER by executing such documents as are reasonably required to transfer the rights to DEVELOPER to have the sanitary sewage generated from the DEVELOPER'S project received by and accepted into the New Windsor sewage treatment plant.

5. MOODNA shall, as may be reasonably determined by the municipal boards from which approvals may be necessary, pursue obtaining such additional municipal consents and approvals as may be necessary to effectuate and implement the purposes of this Agreement. DEVELOPER will extend reasonable cooperation to MOODNA upon receiving reasonable prior notice to execute necessary documents, attend meetings and hearings and provide relevant information.

6. Notwithstanding paragraph 5, if required, DEVELOPER will promptly and initially prepare, execute and deliver all necessary documents, and make application to the Town of New Windsor to establish any required legal entity, such as a sewer district or extension encompassing its project. Thereafter, it will diligently prosecute the same as necessary or if required by New Windsor/Cornwall.

7. In the event the municipal boards do not require documentation otherwise and grant its approval to the allocation of capacity (if that approval is necessary), the parties will from time to time after payments are made, execute such documents in proper form as are reasonably required to make the availability of sewer service an appurtenant right to the DEVELOPER'S project.

8. Solely DEVELOPER shall be responsible for such applications, engineering and legal services as are required to resolve matters relating to the design, approval,

construction, installation and connection of the project sewer system to the Town of New Windsor sewer system facilities. Performance of this agreement by DEVELOPER is not subject to nor conditioned upon any of those matters, unless expressly so provided.

9. The consideration payable by DEVELOPER to MOODNA shall be based on the schedule annexed hereto and payable as set forth therein.

10. Except for the non-refundable portion, the consideration payable by DEVELOPER to MOODNA shall be held in escrow by the attorneys for MOODNA, JACOBOWITZ AND GUBITS, LLP., 158 Orange Avenue, Walden, New York 12586 subject to the terms of this agreement. The payment will be deposited into an interest bearing account and the interest shall belong to MOODNA under all circumstances. The tax identification number for MOODNA shall be supplied to the bank in which the funds are deposited. The funds shall be deposited to an account at Walden Federal Savings and Loan Association, 12 Main Street, Walden, New York 12586.

11. Upon written consent being granted by the town board of the Town of New Windsor to the allocation of the "allocated capacity" provided for under this agreement, if such consent is required by the municipality, the condition precedent to performance by the DEVELOPER shall be deemed satisfied, and upon execution and delivery by MOODNA of the "allocation, assignment and transfer" certificate, a copy of which is annexed hereto, the escrow agent shall be free to release from escrow all the funds held on deposit to MOODNA without other or further notice, approval or consent.

12. In the event the consent is not obtained as provided in paragraph 11 above by March 31, 2001, either party to this agreement shall have the right to terminate the same, except as herein provided. Upon termination of this contract by either party in accordance with the provisions of this agreement, the payment made by the DEVELOPER to MOODNA, held in escrow shall be refunded to the DEVELOPER upon written demand, but the interest thereon shall be paid to MOODNA under all circumstances. Notwithstanding the termination date, the DEVELOPER at its option shall have the right to extend date of termination for three (3) months by giving notice at least ten (10) days prior to the termination date.

13. Certificates of allocation shall be issued, signed and delivered as follows:

A. Upon receipt of payments totaling \$5,625.00

A copy of the "allocation assignment" and transfer certificate to be used is annexed hereto.

Executed certificates will be delivered only against bank or certified funds, or not until funds are actually collected and credited if otherwise.

14. The escrow agent shall not be liable to any of the parties for any act or omission, except for bad faith or gross negligence, and the parties hereby agree to indemnify the escrow agent and hold the escrow agent harmless from any claims, damages, losses or expenses (including attorney's fees) arising in connection herewith. The parties acknowledge that the escrow agent is acting solely as a stakeholder for their convenience. In the event of a dispute between the parties, the escrow agent shall not be bound to release and deliver the escrow fund to either party but may continue to hold the escrow fund until escrow agent is otherwise directed in writing signed by all parties hereto or escrow agent may deposit the down payment with the Clerk of any Court of competent jurisdiction. Upon such deposit, the escrow agent will be released from all duties and responsibilities hereunder. The escrow agent shall not be required to defend any legal proceedings which may be instituted against it in respect to the premises or the subject matter of this agreement unless requested to do so by purchaser or seller and indemnified to its satisfaction against the cost and expense of such defense (including attorney's fees). The escrow agent shall not be required to institute legal proceedings of any kind and shall have no responsibility for the genuineness of validity of any document or other item deposited with it or the collectability of any check delivered in connection with this agreement. The escrow agent shall be fully protected in acting in accordance with any written instructions given to it hereunder, and believed by it to have been signed by the proper parties. The parties agree that, notwithstanding the role of JACOBOWITZ AND GUBITS, LLP., as escrow agent, it can, does, and may continue to represent seller as legal counsel in connection with the subject matter of this agreement and otherwise.

15. This agreement contains the entire agreement between the parties with respect to the transaction contemplated herein. It may be executed in any number of counterparts, each and all of which shall be deemed for all purposes to be one agreement.

16. All notices to be given hereunder shall be given in writing, via certified mail, return receipt requested, or delivered personally as follows:

A. If to MOODNA, addressed to JACOBOWITZ AND GUBITS, LLP., 158 Orange Avenue, P. O. Box 367, Walden, New York 12586-0367; and

B. If to DEVELOPER, addressed to: Cherry Valley Builders, Inc. 110 Cherry Valley Avenue, West Hempstead, New York 11552.

17. No waiver, alteration, or modification of any of the provisions of this agreement shall be binding unless in writing and signed by a duly authorized representative of both parties to this agreement.

18. This agreement shall be governed by the laws of the State of New York.

19. This agreement shall inure to and be binding on the heirs, successors, executors,

administrators and assignees of the parties.

20. Annexed hereto is a copy of the agreement required to be signed by the DEVELOPER with the Town of New Windsor.

IN WITNESS WHEREOF the parties have executed this agreement.

MOODNA CREEK DEVELOPMENT, LTD.

By:  _____ 

CHERRY VALLEY BUILDERS, INC.

By:  _____

Vincent Dejana, President

PAYMENT SCHEDULE

MOODNA CREEK DEVELOPMENT, LTD., with Cherry Valley Builders, Inc. The Purchase Price is \$3.75 per gallon for one thousand five hundred (1,500) gallons per day, a total of FIVE THOUSAND SIX HUNDRED TWENTY FIVE DOLLARS AND NO/100 (\$5,625.00). This amount is payable FIVE HUNDRED DOLLARS AND NO/100 (\$500.00) non refundable to be remitted upon signing and delivery of this agreement by DEVELOPER to MOODNA, and upon acceptance and execution of this agreement by MOODNA, not to be refunded, except as expressly provided below:

The balance is payable as follows:

On January 31, 2001, or when the preliminary subdivision is approved by the Town of New Windsor, whichever is earlier referred to as the "Second Payment", DEVELOPER shall pay an additional non refundable down payment of TWO THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS AND NO/100 (\$2125.00).

On March 31, 2001, or at such time DEVELOPER submits its subdivision plan to NYS DEC if required, or receives final subdivision approval from the Town of New Windsor for its plan, whichever is earlier, DEVELOPER shall pay the balance.

The dates in this agreement are time is of the essence. All notices and payments are to be actually received by the dates specified. Delivery to U.S.P.O. mail or express mail service shall not be receipt.

In the event the Town requires Developer to acquire capacity for more than three (3) lots in this subdivision, the contract price shall be increased by \$1,875.00 for each lot in excess of 3. The increase shall be payable \$875.00 at the time the second payment is due and payable and \$1,000.00 at the time the balance under the contract is due and payable.

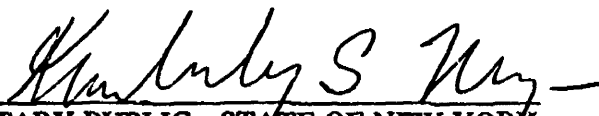
The Developer shall provide Modna with a letter at the time the second payment is payable from the Town confirming the number of units for which capacity must be purchased.

STATE OF NEW YORK:

:SS.:

COUNTY OF NASSAU :

On the 30TH day of November, 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared VINCENT DEANNA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC - STATE OF NEW YORK

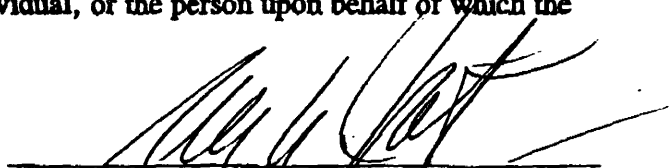
KIMBERLY S. MAYER
Notary Public, State of New York
No. 01MA5058243
Qualified in Nassau County
Commission Expires 7-1-02

STATE OF NEW YORK:

:SS.:

COUNTY OF ORANGE :

On the 2nd day of Dec November, 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared ISAAC LINDAU, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC - STATE OF NEW YORK
12/28/02

CERTIFICATE OF ALLOCATION

MOODNA CREEK DEVELOPMENT, LTD., a New York Corporation c/o Daroe Realty, 207 Lake Drive, Newburgh, New York 12550, (hereafter called MOODNA) hereby allocates, assigns and transfers to Cherry Valley Builders, Inc., ~~a limited partnership with~~ principal place of business located at 110 Cherry Valley Ave., West Hempstead, NY (hereafter called DEVELOPER), who hereby receives and accepts, the unconditional, continuous and irrevocable right to Two Thousand (2,000) gallons of daily sanitary sewage treatment discharge capacity at the Town of New Windsor sewage treatment plant, allotted from the Majestic Sewer District total daily sewage treatment capacity (hereafter called TOTAL CAPACITY), for the exclusive use and benefit of four (4) single family residence units in the Town of New Windsor, Orange County, New York designated as tax map parcel Section 59, Block 2, Lots 1.8 and 18.2.

MOODNA acknowledges and agrees to forebear from using daily sewage treatment discharge capacity that is part of the total capacity that is in excess of the total capacity as reduced by the Two Thousand (2,000) gallons of daily sewage treatment capacity allocated to DEVELOPER by this certificate.

Dated: March 20, 2001

MOODNA CREEK DEVELOPMENT, LTD.

By: _____

STATE OF NEW YORK:

:SS.:

COUNTY OF ORANGE :

On the 20th day of March, 2001 before me, the undersigned, a Notary Public in and for said State, personally appeared Isaac Landau, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

GERALD N. JACOBOWITZ 1940075
Notary Public, State of New York
Qualified in Orange County
My Commission Expires Feb. 28, 2002

NOTARY PUBLIC - STATE OF NEW YORK

Consent to this certificate has been granted at a meeting held _____ day of _____ 200__, by the Town Board, Town of New Windsor.

Dated: _____ 200__

TOWN OF NEW WINDSOR

By: _____

GEORGE MEYERS, SUPERVISOR

THIS AGREEMENT dated the ____ day of _____, 19____, between the TOWN OF NEW WINDSOR, a municipal corporation with its principal place of business at 555 Union Avenue, New Windsor, New York 12553, hereinafter referred to as "TOWN", and .

a corporation with its principal place of business at _____, New York _____, hereinafter referred to as "DEVELOPER".

WHEREAS, DEVELOPER has heretofore received or is in the process of receiving Planning Board approval for a development within the TOWN located on real property known as New Windsor Tax Map Section _____ Block _____ Lot(s) _____ through _____ parcels), hereinafter referred to as "PROPERTY"; and

WHEREAS, DEVELOPER has heretofore negotiated a reallocation of sewer capacity from the Majestic Sewer District in the amount of _____ gpd to be used to provide sewer service to the property; and

WHEREAS, the Town Board of the Town of New Windsor has adopted a resolution on the 11th day of August, 1993 that authorized the reallocation of the aforesaid quantity of sewer capacity from the Majestic Sewer District to the property.

IT IS HEREBY AGREED AS FOLLOWS:

1. The sewer capacity that has been reallocated for Majestic Sewer District shall be used only for the benefit of the property except as hereinafter provided.

2. DEVELOPER, or any other party, may not assign, transfer or in any way encumber the sewer capacity that is being allocated to the property except, however, the DEVELOPER may assign the

capacity to the TOWN at no cost to the TOWN.

3. DEVELOPER shall cause all sewer lines to be constructed on the property so as to prevent the inflow or infiltration of water into the sanitary sewer system. DEVELOPER shall install wastewater inlets into the sewer system only from metered source of water unless, however, the flow of wastewater through the sewer line is metered at some point in the line that will accurately measure all wastewater being transferred through the sanitary system on the property. All sanitary sewer lines and appurtenances shall be inspected by the engineers for the TOWN during construction and prior to commencement of use of the sanitary sewer system.

4. The sewer capacity that is being reallocated to the aforesaid real property may not be used to serve any other real property unless the reallocation has been assigned to the TOWN.

5. DEVELOPER acknowledges that the reallocation is limited to the capacity set forth above and, in the event it is determined that further development on the property will create a sewer demand that is greater than the reallocated capacity set forth above, the TOWN is authorized to withhold any permits or approvals until satisfactory sewer capacity is obtained.

6. All lots within the property shall pay bonding and operation and maintenance charges that prevail in Sewer District #19.

THIS AGREEMENT shall be executed and acknowledged in recordable form and shall be recorded in the Orange County Clerk's Office at the expense of the DEVELOPER.

TOWN OF NEW WINDSOR

(SEAL)

By: George A. Green, Supervisor

(SEAL)

(TA DOCDISK #20-081393.RSC)

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

On the ____ day of _____, 19____, before me personally appeared GEORGE A. GREEN, to me known, who being by me duly sworn, did depose and say that he resides at 53 Farmstead Road, New Windsor, N. Y. 12553, that he is the Supervisor of the TOWN OF NEW WINDSOR, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by Order of the Board of said corporation, and that he signed his name thereto by like order.

Notary Public

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

On this ____ day of _____, 19____, before me personally came _____ to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that (s)he executed the same.

Notary Public

Corporate Acknowledgment:

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

On this ____ day of _____, 19____ before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that (s)he resides at _____,

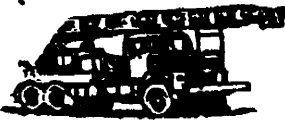
that (s)he is the _____ of _____, the corporation described in and which executed the foregoing instrument; that (s)he knows the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation, and that (s)he signed his(her) name thereto by like order.

Notary Public

MJS ENGINEERING

261 Greenwich Avenue
Goshen, NY 10924

APPENDIX C



WELL COMPLETION REPORT

Turnbull Well Drilling Assoc. L.L.C.

WATER WELLS, PUMPS & HYDROFRACTURING
Over 40 Years Experience

J9
N.Y. 10926

914-783-2674
914-783-4188

DEC # 02818

LOCATION	STREET ADDRESS: LAKE RD		TOWN / VILLAGE: NEW WINDSOR			
WELL OWNER	NAME: CHERRY VALLEY BUILDERS					
USE OF WELL 1 - primary 2 - secondary	<input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> PUBLIC SUPPLY <input type="checkbox"/> AIR/COND/HEAT PUMP <input type="checkbox"/> ABANDONED <input type="checkbox"/> BUSINESS <input type="checkbox"/> FARM <input type="checkbox"/> TEST/OBSERVATION <input type="checkbox"/> OTHER (specify) <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> INSTITUTIONAL <input type="checkbox"/> STAND-BY <input type="checkbox"/>					
AMOUNT OF USE	YIELD SOUGHT 8 gpm/NO. PEOPLE SERVED _____ / EST. OF DAILY USAGE _____ gal.					
REASON FOR DRILLING	<input checked="" type="checkbox"/> NEW SUPPLY <input type="checkbox"/> PROVIDE ADDITIONAL SUPPLY <input type="checkbox"/> TEST/OBSERVATION <input type="checkbox"/> REPLACE EXISTING SUPPLY <input type="checkbox"/> DEEPEN EXISTING WELL					
DEPTH DATA	WELL DEPTH 180 ft.		STATIC WATER LEVEL 15 ft. DATE MEASURED 2-7-01			
DRILLING EQUIPMENT	<input type="checkbox"/> ROTARY <input checked="" type="checkbox"/> COMPRESSED AIR PERCUSSION <input type="checkbox"/> DUG <input type="checkbox"/> WELL POINT <input type="checkbox"/> CABLE PERCUSSION <input type="checkbox"/> OTHER (specify):					
WELL TYPE	<input type="checkbox"/> SCREENED <input type="checkbox"/> OPEN END CASING <input checked="" type="checkbox"/> OPEN HOLE IN BEDROCK <input type="checkbox"/> OTHER					
CASING DETAILS	TOTAL LENGTH 45 ft.		MATERIALS: <input checked="" type="checkbox"/> STEEL <input type="checkbox"/> PLASTIC <input type="checkbox"/> OTHER			
	LENGTH BELOW GRADE 44 ft.		JOINTS: <input type="checkbox"/> WELDED <input checked="" type="checkbox"/> THREADED <input type="checkbox"/> OTHER			
	DIAMETER 6 in.		SEAL: <input checked="" type="checkbox"/> CEMENT GROUT <input type="checkbox"/> BENTONITE <input type="checkbox"/> OTHER			
	WEIGHT PER FOOT 17 lb./ft.		DRIVE SHOE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO LINER: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
SCREEN DETAILS		DIAMETER (in.)	SLOT SIZE	LENGTH (H)	DEPTH TO SCREEN (H)	DEVELOPED ?
	FIRST					<input type="checkbox"/> YES <input type="checkbox"/> NO
	SECOND					HOURS _____
GRAVEL PACK	<input type="checkbox"/> YES <input type="checkbox"/> NO	GRAVEL SIZE	DIAMETER OF PACK _____ in.	TOP DEPTH _____ ft.	BOTTOM DEPTH _____ ft.	
WELL YIELD TEST METHOD: <input type="checkbox"/> PUMPED <input checked="" type="checkbox"/> COMPRESSED AIR <input type="checkbox"/> BAILED <input type="checkbox"/> OTHER		If detailed pumping tests were done is information attached? <input type="checkbox"/> YES <input type="checkbox"/> NO		WELL LOG		
WELL DEPTH ft.	DURATION (hr) min.	DRAWDOWN ft.	YIELD gpm.	DEPTH FROM SURFACE ft.	Water Bearing	Well Diameter in.
180	4	-	8	35	10"	SAND & GRAVEL TO BEDROCK
				45	10"	SOLID BEDROCK
				170	6"	SOLID BEDROCK
				170	170	FRACTURE - P.G.P.W
				180	6"	SOLID BEDROCK
WATER <input checked="" type="checkbox"/> CLEAR TEMP. QUALITY <input type="checkbox"/> CLOUDY HARDNESS <input type="checkbox"/> COLORED ANALYZED? <input type="checkbox"/> YES <input type="checkbox"/> NO ANALYSIS ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO				STORAGE TANK: TYPE _____ CAPACITY _____ GAL.		
PUMP INFORMATION TYPE _____ CAPACITY _____ MAKER _____ DEPTH 165' MODEL _____ VOLTAGE _____ HP _____				WELL DRILLER NAME TURNBULL WELL DRILLING P.O. Box 509 Harriman, N.Y. 10926 SIGNATURE <i>John A. Turnbull</i> DATE 2-7-01		

Lot 2

39 Little Brooklyn Rd. Warwick, N.Y.

Page 1 Of 1

CHERRY VALLEY BUILDERS

Well No. _____
Date: 2/13/01

Well Owner
LAKE RD.
NEW WINDSOR

Job No.

	Time	Held	Wet	D.T.W.	Q	Remarks
START	10:30 AM			16.6		6 GPM
	32			15.9		
	34			19.5		
	36			19.11		
	38			20.1		
	40			20.2		
	45			20.5		
	11:00			20.7		
	11:30			20.8		
	12:00 PM			20.8		
	12:30			20.8		
	1:00			20.7		
	1:30			20.7		
	2:00			20.7		
OFF	2:30			20.6		
	32			16.10		RECOVERY
	34			16.7		
	36			16.6		
	38					
	40					
	45					
	3:00					

OCL Analytical Services
35 Goshen Turnpike
Bloomingburg, NY 12721

ELAP#10510

OCL
Analytical Services

Friday, February 16, 2001

Page Number : 1

OCL Sample No: 104367

(914) 733-1557 Fax: (914)733-1944

Isotonics Inc.
P.O. Box 400
Chester

NY 10918

SAMPLED BY
ISOTONICS, INC.
PO BOX 400, CHESTER, NY 10918
914-782-8953

Client Code : ISOTON

OCL Sample No : **104367**

System Name : **Town of New Windsor**

Date Collected : **2/14/01**

Exact Location : **Amelia Ct. Lot 2**

Time Collected : **13:00**

Date Received : **2/15/01**

Submit By : **Isotonics**

Type Descr : **022** SID : Fed ID :

Analysis	Result	Units	MCL/DL	Method	Lab	Date	Time	By
Total Coliform(ONPG)	absence			9223B	10510	2/15/01	13:00	HH
E.coli(ONPG)	absence			9223B	10510	2/15/01	13:00	HH


This sample passes NYSDOH and EPA drinking water standards

Remarks :

Copies to:

GT = greater than
LT = less than
ND = not detected

MCL = maximum contaminant level
DL = detection level


Microbiology Department

Federal Id: Collected by:
Inorganics Analysis Data Sheet
Form I - IN

Client Name: ISOTONICS Project Name: STANDARD
STL Sample Number: 225964-01
Client I.D.: AMEIA CT-LOT 2 (T) NEW WINDSOR
Date Collected: 14-FEB-01 Matrix: 2 GW/WW
Date Received: 14-FEB-01
Comments:

Analysis	Result	Units	Method	Analyzed
Alkalinity	92.0	MG/L	23208	20-FEB-01
Iron	81.6	UG/L	200.7	19-FEB-01
Lead	5.0 U	UG/L	200.7	19-FEB-01
Manganese	31.5	UG/L	200.7	19-FEB-01
Nitrate-Nitrite	3.3	MG/L	LAC107041	15-FEB-01
Sodium	124	MG/L	200.7	19-FEB-01
Total Hardness	228	MG/L	200.7	19-FEB-01
Turbidity	0.48	NTU	21308	14-FEB-01
Turbidity Time of Analysis	4:51 PM			
pH	6.7		4500-HB	14-FEB-01
pH Time of Analysis	4:52 PM			

Remarks:

SAMPLED BY
ISOTONICS, INC.
PO BOX 400, CHESTER, NY 10918
914-782-8953

(5)

The following data qualifiers are used to assist in the interpretation of analytical results.

DATA QUALIFIERS CAN BE FOUND TO THE RIGHT OF THE ANALYZED DATE

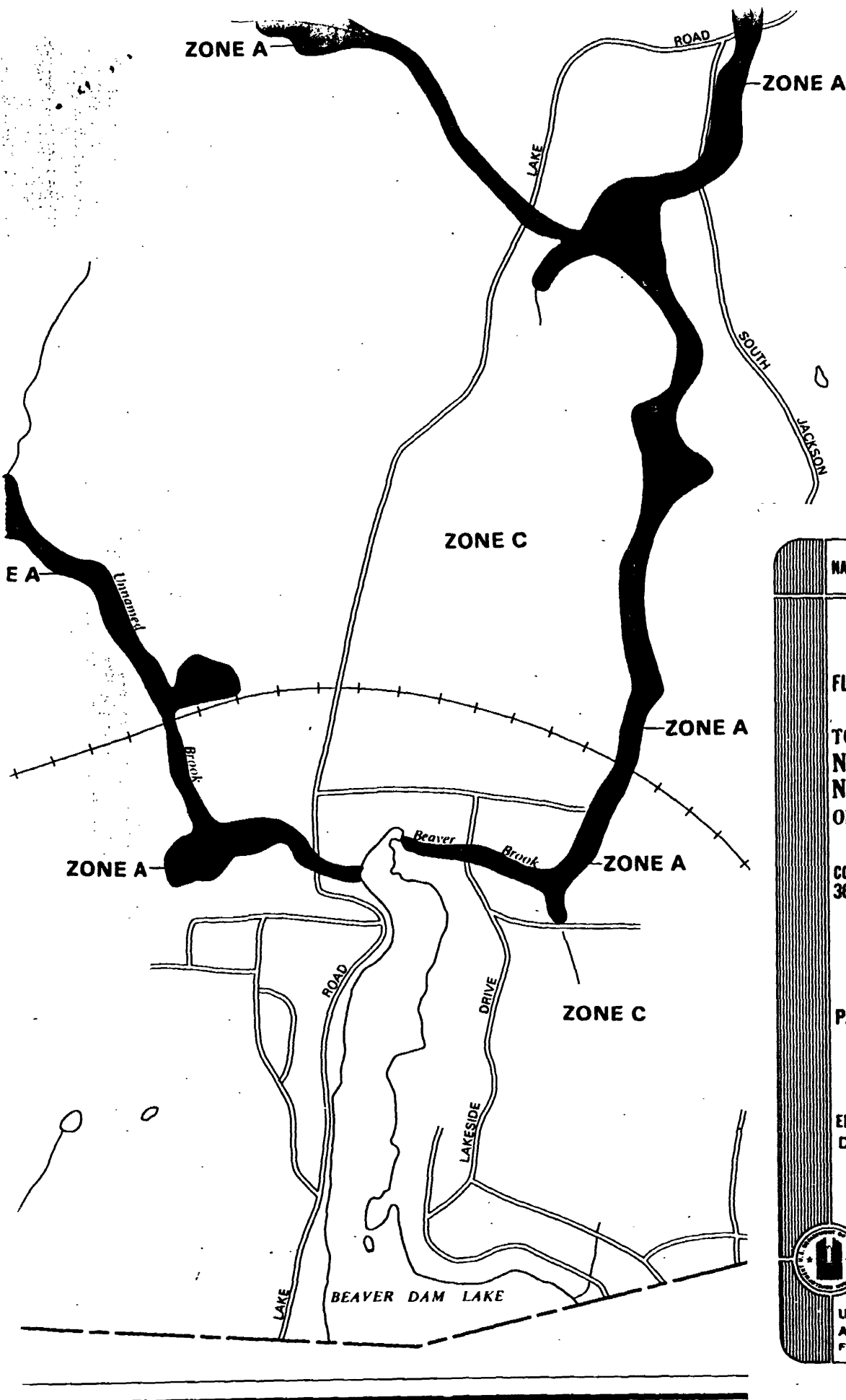
Unless otherwise indicated by the data qualifier, the sample passes applicable drinking water standards.

Qualifier	Applicable Comment
1	Parameter fails applicable drinking water standards
2	Exceeds lead SWDA action level of 15ug/l
3	Exceeds copper SWDA action level of 1.3mg/l or 1300ug/l
4	The results indicate the water to be corrosive
5	The recommended sodium level for a moderate diet is 270mg/l The recommended sodium level for a restricted diet is 20mg/l
7	Hardness 0-99mg/l = soft 100-200mg/l = moderately hard 200-over = very hard

MJS ENGINEERING

261 Greenwich Avenue
Goshen, NY 10924

APPENDIX D



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

**TOWN OF
NEW WINDSOR,
NEW YORK
ORANGE COUNTY**

**COMMUNITY-PANEL NUMBER
360628 0005 B**

PAGE 5 OF 10

**EFFECTIVE
DECEMBER 15, 1978**



**U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION**

MJS ENGINEERING

261 Greenwich Avenue
Goshen, NY 10924

APPENDIX E

User Name: PATRICK HUTTON
 Project: 000134 CHERRY VALLEY
 Network: 01 - clidesac

Date: 02-08-01
 Time: 13:23:06
 Page: 1

Junction Data (English)

Junction	Junct N	Junct E	Junct Rim	Junct Type	Junct Dim (ft)	Kj (JLC)
MH 1	4103.92	5967.77	341.76	Circular	4.00	0.50
MH 2	4141.17	5848.43	343.66	Circular	4.00	0.50

User Name: PATRICK HUTTON
 Project: 000134 CHERRY VALLEY
 Network: 01 - clidesac

Date: 02-08-01
 Time: 13:23:13
 Page: 1

Flow Input Data (English)

Pipe	Res Q (gpd)	Res Q/unit (gpd)	Res Units	Comm Q (gpd)	Comm Q/unit (gpd)	Comm Units	Misc Q (gpd)	Misc Q/unit (gpd)	Misc Units	Infil Q (gpd)	Infil Flow/Len (gpd/mi)
Pipe 1	0.00	300.00	5.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pipe 2	0.00	300.00	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

User Name: PATRICK HUTTON
 Project: 000134 CHERRY VALLEY
 Network: 01 - clidesac

Date: 02-08-01
 Time: 13:23:19
 Page: 1

Gravity Sewer Data (English)

Pipe	Conf Ang	Dn Pipe	Plan Len (ft)	Pipe Dim (in)	Pipe n	Dn Inv El	Up Inv El	Inv S (%)	Pipe Mat
------	-------------	------------	---------------------	---------------------	-----------	-----------------	-----------------	-----------------	-------------

1/5

Pipe 1	-117.7553	Outfall	108.04	8.00	0.010	335.51	337.81	2.17	PVC
Pipe 2	-44.9082	Pipe 1	125.02	8.00	0.010	337.81	340.17	1.95	PVC

User Name: PATRICK HUTTON
Project: 000134 CHERRY VALLEY
Network: 01 -

Date: 02-08-01
Time: 13:22:54
Page: 1

Sanitary Sewers Detail Report

=====

PIPE DESCRIPTION: Pipe 1

----PIPE INFORMATION----

Current Pipe	= Pipe 1
Downstream Pipe	= Outfall
Pipe Material	= PVC
Pipe Length	= 106.06 ft
Plan Length	= 108.04 ft
Pipe Type	= Circular
Pipe Dimensions	= 8.00 in
Pipe Manning's "n"	= 0.010
Pipe Capacity at Invert Slope	= 2.29 cfs
Invert Elevation Downstream	= 335.51 ft
Invert Elevation Upstream	= 337.81 ft
Invert Slope	= 2.17%
Invert Slope (Plan Length)	= 2.13%
Rim Elevation Downstream	= 341.81 ft
Rim Elevation Upstream	= 341.76 ft
Natural Ground Slope	= -0.05%
Crown Elevation Downstream	= 336.18 ft
Crown Elevation Upstream	= 338.48 ft

----FLOW INFORMATION----

Flow Profile	= Daily Average
Residential Average Factor	= 1.00
Commercial Average Factor	= 1.00
Miscellaneous Average Factor	= 1.00
Residential Known Flow	= 0.00 gpd
Residential Flow Rate/Unit	= 300.00 gpd
Residential Units	= 5.00
Commercial Known Flow	= 0.00 gpd
Commercial Flow Rate/Unit	= 0.00 gpd
Commercial Units	= 0.00
Miscellaneous Known Flow	= 0.00 gpd
Miscellaneous Flow Rate/Unit	= 0.00 gpd
Miscellaneous Units	= 0.00
Infiltration Known Flow	= 0.00 gpd
Infiltration Flow per Length	= 0.00 gal/day/mi
Input Flow	= 1500.00 gpd
Total Flow	= 0.00 cfs
Uniform Capacity	= 2.29 cfs

----HYDRAULIC INFORMATION----

HGL Elevation Downstream	= 335.53 ft
HGL Elevation Upstream	= 337.83 ft
HGL Slope	= 2.17 %
EGL Elevation Downstream	= 335.55 ft
EGL Elevation Upstream	= 337.85 ft
EGL Slope	= 2.17 %

User Name: PATRICK HUTTON
 Project: 000134 CHERRY VALLEY
 Network: 01 -

Date: 02-08-01
 Time: 13:22:54
 Page: 2

Sanitary Sewers Detail Report

Critical Depth	= 0.33 in
Depth Downstream	= 0.24 in
Depth Upstream	= 0.24 in
Velocity Downstream	= 1.21 ft/s
Velocity Upstream	= 1.21 ft/s
Area Downstream	= 0.00 ft^2
Area Upstream	= 0.00 ft^2
Kj (JLC)	= 0.50
Calculated Junction Loss	= 0.011 ft

PIPE DESCRIPTION: Pipe 2

----PIPE INFORMATION----

Current Pipe	= Pipe 2
Downstream Pipe	= Pipe 1
Pipe Material	= PVC
Pipe Length	= 121.05 ft
Plan Length	= 125.02 ft
Pipe Type	= Circular
Pipe Dimensions	= 8.00 in
Pipe Manning's "n"	= 0.010
Pipe Capacity at Invert Slope	= 2.16 cfs
Invert Elevation Downstream	= 337.81 ft
Invert Elevation Upstream	= 340.17 ft
Invert Slope	= 1.95%
Invert Slope (Plan Length)	= 1.89%
Rim Elevation Downstream	= 341.76 ft
Rim Elevation Upstream	= 343.66 ft
Natural Ground Slope	= 1.57%
Crown Elevation Downstream	= 338.48 ft
Crown Elevation Upstream	= 340.84 ft

----FLOW INFORMATION----

Flow Profile	= Daily Average
Residential Average Factor	= 1.00
Commercial Average Factor	= 1.00
Miscellaneous Average Factor	= 1.00
Residential Known Flow	= 0.00 gpd
Residential Flow Rate/Unit	= 300.00 gpd
Residential Units	= 3.00
Commercial Known Flow	= 0.00 gpd
Commercial Flow Rate/Unit	= 0.00 gpd
Commercial Units	= 0.00
Miscellaneous Known Flow	= 0.00 gpd
Miscellaneous Flow Rate/Unit	= 0.00 gpd
Miscellaneous Units	= 0.00
Infiltration Known Flow	= 0.00 gpd
Infiltration Flow per Length	= 0.00 gal/day/mi

User Name: PATRICK HUTTON
Project: 000134 CHERRY VALLEY
Network: 01 -

Date: 02-08-01
Time: 13:22:54
Page: 3

Sanitary Sewers Detail Report

=====

Input Flow	= 900.00 gpd
Total Flow	= 0.00 cfs
Uniform Capacity	= 2.16 cfs

----HYDRAULIC INFORMATION----

HGL Elevation Downstream	= 337.84 ft
HGL Elevation Upstream	= 340.19 ft
HGL Slope	= 1.94 %
EGL Elevation Downstream	= 337.84 ft
EGL Elevation Upstream	= 340.20 ft
EGL Slope	= 1.94 %
Critical Depth	= 0.20 in
Depth Downstream	= 0.38 in
Depth Upstream	= 0.20 in
Velocity Downstream	= 0.23 ft/s
Velocity Upstream	= 0.60 ft/s
Area Downstream	= 0.01 ft^2
Area Upstream	= 0.00 ft^2
Kj (JLC)	= 0.50
Calculated Junction Loss	= 0.003 ft

Sanitary Sewer Extension Specifications

Cherry Valley — Lake Road
Town of New Windsor
Orange County, NY

Prepared for:

Vincent Dejana
68 Carlton Avenue
Port Washington, NY 11050

February 2001
(Revised: March 2001)



MJS ENGINEERING

MJS Engineering, PC
261 Greenwich Avenue
Goshen, NY 10924
(845) 291-8650

Index

<u>SECTION</u>	<u>NO.</u>
SITE CLEARING	02110
EARTHWORK	02200
SEWERAGE AND DRAINAGE	02700

SECTION 02110

SITE CLEARING

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the contract.

1.2 SUMMARY

- A. This Section includes the following:

1. Protection of existing trees indicated to remain.
2. Removal of trees and other vegetation.
3. Topsoil stripping.
4. Clearing and grubbing.
5. Removing above-grade improvements.
6. Removing below-grade improvements.

1.3 PROJECT CONDITIONS

- A. Traffic: Conduct site-clearing operations to ensure minimum interference with site access driveways, walks, parking facilities and other adjacent occupied or used facilities. Do not close or obstruct streets, walks or other occupied or used facilities without permission from authorities having jurisdiction.
- B. Protection of Existing Improvements: Provide protections necessary to prevent damage to existing improvements indicated to remain in place.
 1. Protect improvements on adjoining properties and on Owner's property.
 2. Restore damaged improvements to their original condition, as acceptable to property owner.
- C. Protection of Existing Trees and Vegetation: Protect existing trees and other vegetation indicated to remain in place against unnecessary cutting, breaking or skinning of roots, skinning or bruising of bark, smothering of trees by stockpiling construction materials or excavated materials within drip line,

excess foot or vehicular traffic, or parking of vehicles within drip line.
Provide temporary guards to protect trees and vegetation to be left standing.

- D. Improvements on Adjoining Property: Authority for performing removal and alteration work on property adjoining Owner's property will be obtained by Owner prior to award of contract.

- 1. Extent of work on adjacent property is indicated on Drawings.

- E. Remove and Reinstall: Remove items indicated; clean, service and otherwise prepare for reuse; store and protect against drainage. Reinstall items in locations indicated.

1.4 EXISTING SERVICES

- A. General: Indicated locations are approximate; determine exact locations before commencing work.
- B. Arrange and pay for disconnecting, removing, capping, and plugging utility services. Notify affected utility companies in advance and obtain approval before starting this work.
- C. Place markers to indicate location of disconnected services. Identify service lines and capping locations on Project Record Documents

1.5 SUBMITTALS

- A. General: Submit each item in this Article according to the Conditions of the Contract.
- B. Proposed dust-control measures.
- C. Proposed noise-control measures.
- D. Landfill records indicating receipt and acceptance of waste materials by a licensed landfill facility.

PART 2 - PRODUCTS (Not Applicable)

PART 3 - EXECUTION

3.1 SITE CLEARING

- A. General: Remove trees, shrubs, grass, and other vegetation, improvements, or obstructions, as required, to permit installation
 - 1. Cut minor roots and branches of trees indicated to remain in a clean and careful manner where such roots and branches obstruct installation of new construction.
- B. Topsoil: Topsoil is defined as friable clay loam surface soil found in a depth of not less than 4 inches. Satisfactory topsoil is reasonably free of subsoil, clay lumps, stones, and other objects over 2 inches in diameter, and without weeds, roots, and other objectionable material.
 - 1. Strip topsoil to whatever depths encountered in a manner to prevent intermingling with underlying subsoil or other objectionable material. Remove heavy growths of grass from areas before stripping.
 - a) Where existing trees are indicated to remain, leave existing topsoil in place within drip lines to prevent damage to root system.
 - 2. Stockpile topsoil in storage piles in areas indicated or directed. Construct storage piles to provide free drainage of surface water. Cover storage piles, if required,, to prevent wind erosion.
 - 3. Dispose of unsuitable or excess topsoil as specified for disposal of waste material.
- C. Clearing and Grubbing: clear site of trees, shrubs, and other vegetation, except for those indicated to be left standing.
 - 1. Completely remove stumps, roots, and other debris protruding through ground surface.
 - 2. Use only hand methods for grubbing inside drip line of trees indicated to remain.
 - 3. Fill depressions caused by clearing and grubbing operations with satisfactory soil material, unless further excavation or earthwork is indicated.
 - a) Place fill material in horizontal layers not exceeding 6 inches loose depth, and thoroughly compact each layer to a density equal to adjacent original ground.
- D. Removal of Improvements: Remove existing above-grade and below-grade improvements as indicated and as necessary to facilitate new construction.

1. Utilities and Related Equipment

Remove existing utilities, as indicated and terminate in a manner conforming to the nationally recognized code covering the specific utility. If utility lines are encountered that are not shown on drawings, contact the Contracting Officer for further instructions.

2. Paving and Slabs

- a) Concrete pavements: Where it is necessary to make a cut in concrete paved areas, the contractor shall first score the concrete in neat, straight lines to a depth of not less than 2 inches with an approved concrete cutting saw prior to removing concrete.
- b) Bituminous pavements: Where is necessary to make a cut in bituminous paved areas, the Contractor shall cut paving along neat, straight lines to a depth of not less than 3 inches using an approved bituminous cutting saw prior to removing bituminous pavement.
- c) Restoration of paved areas: Restore all paved areas to their original condition using material of like type and quality as the removed paving approved by the Owner. Repaired surfaces shall match existing adjacent paving.

3. Concrete

Saw concrete along straight lines to a depth of not less than 2 inches. Make each cut in walls perpendicular to the face and in alignment with the cut in the opposite face. Break out the remainder of the concrete provided that the broken area is concealed in the finished work, and the remaining concrete is sound. At locations where the broken face cannot be concealed, grind smooth or saw-cut entirely through the concrete.

4. Patching

Where removals leave holes and damaged surfaces exposed in the finished work, patch and repair these holes and damaged surfaces to match adjacent finished surfaces. Where new work is to be applied to existing surfaces, perform removals and patching in a manner to produce surfaces suitable for receiving new work. Finished surfaces of patched area shall be flush with the adjacent existing surface and shall match the existing adjacent surface as closely as possible as to texture and finish. Patching shall be as specified and indicated.

5. Filling

Fill holes and other hazardous openings in accordance with Section 02200, "EARTHWORK."

3.2 DISPOSAL OF WASTE MATERIALS

- A. Burning of Owner's Property: Burning is not permitted on Owner's property.**
- B. Removal from Owner's Property: Remove waste materials and unsuitable or excess topsoil from Owner's property. Dispose of waste materials at licensed landfill facility.**

END OF SECTION 02110

SECTION 02200

EARTHWORK

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the contract.

1.2 SUMMARY

- A. This Section includes the following:

- 1. Excavating and backfilling for underground mechanical and electrical utilities and appurtenances.

- B. Related Sections: The following Sections contain requirements that relate to this Section.

- 1. Division 2 Section "Site Clearing" for site stripping, grubbing, topsoil removal, and tree protection.

1.3 DEFINITIONS

- A. Excavation consists of the removal of material encountered to subgrade elevations and the reuse or disposal of materials removed.
- B. Subgrade: The uppermost surface of an excavation or the top surface of a fill or backfill immediately below subbase, drainage fill, or topsoil materials.
- C. Borrow: soil material obtained off-site when sufficient approved soil material is not available from excavations.
- D. Unauthorized excavation consists of removing materials beyond indicated subgrade elevations or dimensions without direction by the Contracting Officer. Unauthorized excavation, as well as remedial work directed by the contracting Officer, shall be at the Contractor's expense.
- E. Utilities include on-site underground pipes, conduits, ducts, and cables, as well as underground services within building lines.

1.4 SUBMITTALS

A. General: Submit the following according to the Conditions of the Contract.

B. Product data for the following:

1. Each type of plastic warning tape.
2. Filter fabric.

C. Test Reports: In addition to test reports required under field quality control, submit the following:

1. Laboratory analysis of each soil material proposed for fill and backfill from on-site and borrow sources.
2. One optimum moisture-maximum density curve for each soil material.
3. Report of actual unconfined compressive strength and/or results of bearing tests of each stratum tested.

1.5 QUALITY ASSURANCE

A. Codes and Standards: Perform earthwork complying with requirements of authorities having jurisdiction.

1.6 PROJECT CONDITIONS:

A. Existing Utilities: Do not interrupt existing utilities serving facilities occupied by the Owner or others except when permitted in writing by the contracting Officer and then only after acceptable temporary utility services have been provided.

1.7 BLASTING

A. Blasting will not be permitted. Remove materials in an approved manner.

PART 2 - PRODUCTS

2.1 SOIL MATERIALS

- A. General: Provide approved borrow soil materials from off-site when sufficient approved soil materials are not available from excavations at no additional costs to the Owner.
- B. Satisfactory Soil Materials: ASTM D 2487 soil classification groups CL, ML, SC, SM, SP, SW, GC, GM, GP, or GW; free of rock or gravel larger than 2 inches in any dimension, debris, waste, frozen materials, vegetation and other deleterious matter.
- C. Unsatisfactory Soil Materials: ASTM D 2487 soil classification groups MH, CH, OL, OH, and PT.
- D. Backfill and Fill Materials: Satisfactory soil materials.
- E. Bedding Material: conforming to ASTM, Size No. 8.
- F. Low Permeability Fill: ASTM D 2487, soil classification groups CH, CL, MH or ML, free of rock or gravel larger than 1 inch in any dimension, debris, waste frozen materials, vegetation and other deleterious materials.
- G. Riprap Rock Lining: conforming to SHS, Section 850.2, Class Number as indicated.

PART 3 - EXECUTION

3.1 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by earthwork operations.
- B. Protect subgrades and foundation soils against freezing temperatures or frost. Provide protective insulating materials as necessary.
- C. Provide erosion control measures to prevent erosion or displacement of soils and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways.
- D. Tree protection is specified in the Division 2 Section, "Site Clearing."

3.2 DEWATERING

- A. Prevent surface water and subsurface or ground water from entering excavations, from ponding on prepared subgrades, and from flooding project site and surrounding area.
- B. Protect subgrades and foundation soils from softening and damage by rain or water accumulation.
- C. Remove accumulated or ponded water from excavations, trenches and prepared subgrades.

3.3 EXCAVATION

- A. Explosives: Do not use explosives.
- B. Unclassified Excavation: Excavation is unclassified and includes excavation to required subgrade elevations regardless of the character of materials and obstructions encountered.

3.4 STABILITY OF EXCAVATIONS

- A. Comply with local codes, ordinances, and requirements of authorities having jurisdiction to maintain stable excavations.
- B. Protect excavations by shoring, bracing, sheet piling, underpinning, or other methods required to prevent cave-in or loose soil from falling into excavation.
- C. Underpin adjacent structures which may be damaged by excavation work, including service utilities and pipe chases.

3.5 EXCAVATION FOR STRUCTURES

- A. Excavate to indicated elevations and dimensions within a tolerance of plus or minus 0.10 foot. Extend excavations a sufficient distance from structures for placing removing concrete form work, installing services and other construction, and for inspections.

1. Excavations for Footings and Foundations: Do not disturb bottom of excavation. Excavate by hand to final grade just before placing concrete reinforcement. Trim bottoms to required lines and grades to leave solid base to receive other work.

3.6 EXCAVATION FOR UTILITY TRENCHES

- A. Excavate trenches to indicated slopes, lines, depths, and invert elevations.
 1. Beyond building perimeter, excavate trenches to allow installation of top of pipe below frost line.
- B. Excavate trenches to uniform widths to provide a working clearance on each side of pipe or conduit. Excavate trench walls vertically from trench bottom to 12 inches higher than top of pipe or conduit, unless otherwise indicated.
 1. Clearance: 8 inches from side of pipe of conduit.
- C. Trench bottoms: Excavate and shape trench bottoms to provide uniform bearing and support of pipes and conduit. Shape subgrade to provide continuous support for bells, joints, and barrels of pipes and for joints,, fittings, and bodies of conduits. Remove stones and sharp objects to avoid point loading.
 1. Carry trench excavation 6 inches below invert elevation to receive bedding course.

3.7 APPROVAL OF SUBGRADE

- A. Notify Inspector when excavations have reached required subgrade.
- B. Notify Inspector of unexpected subsurface conditions encountered and discontinue work in area until notified to resume work.
- C. Construct subgrades damaged by freezing temperatures, frost, rain, accumulated water, or construction activities, as directed by the Inspector.

3.8 UNAUTHORIZED EXCAVATION

- A. Where indicated widths of utility trenches are exceeded, provide special installation procedures, as required by the Geotechnical/Inspector.

3.9 STORAGE OF SOIL MATERIALS

- A. Stockpile excavated materials acceptable for backfill and fill soil materials, including acceptable borrow materials. Stockpile soil materials without intermixing. Place, grade, and shape stockpiles to drain surface water. Cover to prevent wind-blown dust.
 - 1. Stockpile soil materials away from edge of excavations. Do not store within drip line of remaining trees.

3.10 BACKFILL

- A. Backfill excavations promptly, but not before completing the following:
 - 1. Acceptance of construction below finish grade including, where applicable, dampproofing, waterproofing, and perimeter insulation.
 - 2. Surveying locations of underground utilities for record documents.
 - 3. Testing, inspecting, and approval of underground utilities.
 - 4. Concrete form work removal.
 - 5. Removal of trash and debris from excavation.
 - 6. Removal of temporary shoring and bracing, and sheeting.
 - 7. Installing permanent or temporary horizontal bracing on horizontally-supported walls.

3.11 UTILITY TRENCH BACKFILL

- A. Place and compact bedding course and to fill unauthorized excavations. Shape bedding course to provide continuous excavations. Shape bedding course to provide continuous support for bells, joints, and barrels of pipes and for joints, fittings, and bodies of conduits. Compact bedding material to a minimum density of 90% Proctor according to ASTM D 1557.
- B. Place and compact initial backfill of bedding material, satisfactory soil material or subbase material, free of particles larger than 1 inch, as indicated, to a height of 12 inches over the utility pipe or conduit.
 - 1. Carefully compact material under pipe haunches and bring backfill evenly up on both sides and along the full length of utility piping or conduit to avoid damage or displacement of utility system.
- C. Coordinate backfilling with utilities testing.

- D. Fill voids with approved backfill materials as shoring and bracing, and sheeting is removed.
- E. Place and compact final backfill of satisfactory soil material to final subgrade.

3.12 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Disposal: Remove Surplus satisfactory soil and waste material, including unsatisfactory soil, trash, and debris, and legally dispose of it off the Owner's property.

END OF SECTION 02200

SECTION 02700
SEWERAGE AND DRAINAGE

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract.

1.2 SUMMARY

- A. This Section includes sewerage and drainage systems outside the building. Systems include the following:
 - 1. Sanitary sewerage.
 - 2. Storm drainage.
- B. Related Sections: The following Sections contain requirements that relate to this Section.
 - 1. Division 2 Section "Earthwork" for excavation, trenching and backfilling.

1.3 DEFINITIONS

- A. Drainage Piping: system of sewer pipe, fittings, and appurtenances for gravity flow of storm drainage.
- B. Sewerage Piping: system of sewer pipe, fittings, and appurtenances for gravity flow of sanitary sewage.

1.4 PERFORMANCE REQUIREMENTS

- A. Gravity-Flow, Non-pressure Piping Pressure Ratings: At least equal to system test pressure.

1.5 SUBMITTALS

- A. General:** Submit each item in this Article according to the conditions of the contract.
- B.** Shop drawings for pre-cast concrete catch basins, manholes and other structures. Include frames, covers, grates and steps.
- C.** Shop drawings for cast-in-place concrete manholes and other structures. Include frames, covers, grates and steps.
- D.** Reports and calculations for design mixes for each class of cast-in-place concrete.
- E.** As-built drawings showing systems piping. Draw at a scale of not less than 1 inch equals 50 feet. Indicate underground structures and pipe. Show types, sizes, materials, and elevations of other utility crossing system piping. Include drawings for the following piping systems:
 - 1. Sanitary sewerage.
 - 2. Storm drainage.
- F.** Inspection and test reports specified in the Field Quality Control” Article.

1.6 QUALITY ASSURANCE

- A. Regulatory Requirements:**
 - 1. Provide work and materials in accordance with applicable District Specifications.
 - 2. Materials (pipe, manholes, castings, etc. shall meet the standard requirements of the time at the time of construction.
 - 3. All testing shall be witnessed by a representative of the town.
- B. Environmental Agency Compliance:** Comply with regulations pertaining to sanitary sewage and storm drainage systems.
- C. Utility Compliance:** comply with regulations pertaining to sanitary sewerage and storm drainage systems. Include standards of water and other utilities where appropriate.
- D. Product Options:** Drawings indicate sizes, profiles, connections, and dimensional requirements of system components and are based on specific manufacturer types indicated. Other manufacturers’ products with equal

performance characteristics may be considered. Refer to Division 1 Section, "Product Substitutions."

1.7 DELIVERY, STORAGE, AND HANDLING

- A. Site Information:** Perform site survey, research public utility records, and verify existing utility locations. Notify underground utility users in accordance with applicable codes.
- B. Locate existing structures and piping to be closed and abandoned.**
- C. Existing Utilities:** Do not interrupt existing utilities serving facilities occupied by the Owner or others, except when permitted under the following conditions, and then only after arranging to provide acceptable temporary utility services.
 - 1. Notify sewer district not less than 48 hours in advance of proposed utility interruptions.**
 - 2. Do not proceed with utility interruptions without receiving the sewer district's written permission.**

1.9 SEQUENCING AND SCHEDULING

- A. Coordinate sanitary sewerage system connections to existing on-site sanitary sewer.**
- B. Coordinate storm drainage system connections to existing on-site storm sewer.**
- C. Coordinate with interior building drainage systems.**
- D. Coordinate with other utility work.**

PART 2 - PRODUCTS

2.1 MANUFACTURERS

- A. Manufacturers:** Subject to compliance with requirements, provide products by one of the following:
 - 1. Manhole Steps**

- a) Neenah Foundry Co.
- b) Campbell Foundry Co.

2. Manhole Frame and Cover

- a) Neenah Foundry Co.
- b) Campbell Foundry Co.

3. Manhole Gaskets

- a) Pres-Seal Gasket Corporation
- b) DuraTech, Inc.

4. Trench-Drain Frame, Grate and Cover

- a) Neenah Foundry Co.

2.2 PIPES AND FITTINGS

A. Corrugated, Polyethylene (PE) Plastic Pipe and Fittings: AASHTO M 294, Type S, with smooth waterway for coupling joints.

- 1. Watertight Couplings: Polyethylene (PE) bell/bell non-cleated sleeve with ASTM D 3212, o-ring seals, that mates with pipe and fittings to form silt-tight joints.

B. Polyvinyl Chloride (PVC) Sewer Pipe and Fittings: ASTM D 3034, SDR 35, extra strength, for gasketed joints with a grooved pre-molded coupling bell and sleeve.

- 1. Gaskets: ASTM F 477, elastomeric seal.

C. Reinforced Concrete Sewer Pipe and Fittings: ASTM C 76 (ASTM C 76M), Class III, Wall B, for gasketed joints.

- 1. Gaskets: ASTM C 443 (ASTM C 443M), rubber.

2.3 SPECIAL PIPE COUPLINGS AND FITTINGS

A. Sleeve-type Pipe Couplings: Rubber or elastomeric sleeve and band assembly fabricated to match outside diameters of pipes to be joined, for non-pressure joints.

1. Sleeves for Dissimilar Pipes: Compatible with pipe materials being joined.
 2. Bands: Stainless steel, at least one (1) at each pipe insert.
- B. Gasket-type Pipe Couplings: Rubber or elastomeric compression gasket, made to match outside diameter of pipe and inside diameter or hub of adjoining pipe, for non-pressure joints.
1. Gaskets for Dissimilar Pipes: Compatible with pipe materials being joined.

2.4 MANHOLES

- A. Pre-cast Concrete Manholes: ASTM C 478, pre-cast, reinforced concrete, of depth indicated, with provision for neoprene gasket joints.
1. Base Section: 8 inch minimum thickness for floor slab and 5 inch minimum thickness for walls and base 48 inch diameter riser section and 6 inch minimum thickness for walls and base 60 inch diameter riser section, and having a separate base slab or base section with integral floor.
 2. Riser Sections: 5 inch minimum thickness, 48 inch diameter and 6 inch minimum thickness, 60 inch diameter, and lengths to provide depth indicated.
 3. Top Section: Flat slab-top type.
 4. Gaskets: ASTM D 1056 neoprene.
 5. Grade rings: Include 2 or 3 reinforced concrete rings, of 6 to 9 inch total thickness, that match a 24 inch diameter frame and cover. Pre-cast grade adjustment rings shall conform to SHS, 605.2.d.
 6. Steps: Extruded aluminum alloy 6061-T6, ¾ inch in diameter similar in design to Neenah Foundry Co., Catalog Number R-1982-W, or copolymer Polypropylene Coated ½ inch diameter grade 60 steel reinforcement as manufactured by M.A. Industries, Inc. Steps shall have a drop front design with minimum 10 inch clear-rung width. Cast steps into riser and top section sidewalls at 12 inch intervals, first step shall be no further than 24 inches below the manhole cover rim. Omit steps for manhole less than 60 inches deep.
 7. Pipe Connectors: ASTM C 923 (ASTM C 923M), resilient, of size required, for each pipe connecting to base section.
- B. Manhole Frames and Covers: ASTM A 48-83. Class 35B, heavy-duty gray iron similar in design to Neenah Foundry Company, Catalog Number R-1656. Include indented top design with lettering, equivalent to the following, cast into cover.

1. Sanitary Sewerage Piping Systems: SEWER.
2. Storm Drainage Piping systems: STORM SEWER.

2.5 CATCH BASINS

- A. Pre-cast concrete Catch Basins: ASTM C 478, pre-cast reinforced concrete, of depth indicated, with provision for rubber gasket joints.
 1. Base Section: 6 inch minimum thickness for floor slab and 6 inch minimum thickness for walls and base riser section, and having a separate base slab or base section with integral floor.
 2. Riser Sections: 6 inch minimum thickness; 24 inch by 45 ¼ inches inside dimensions, and lengths to provide depth indicated.
 3. Gaskets: ASTM C 443 (ASTM C 443M), rubber.
 4. Grade Adjustment: Pre-cast concrete grade adjustment rings, when required, shall conform to SHS, Subsection 605.2.d. Set in full mortar beds.
 5. Steps: Fiber glass, individual steps or ladder. Include a width that allows a worker to place both feet on one step and is designed to prevent lateral slippage off the step. Cast steps or anchor ladder into base, riser, and top section sidewalls at 12 inch to 16 inch intervals. Omit steps for catch basins less than 60 inches deep.
 6. Steps: ASTM C 478 (ASTM C 478M) individual steps or ladder. Omit steps for catch basins less than 60 inches deep.
 7. Pipe Connectors: ASTM C 923 (ASTM C 923M), resilient, of size required, for each pipe connecting to base section.
- B. Cast-in-Place Concrete Catch Basins and Trench Drains: Construct of reinforced concrete, designed according to ASTM C 857 for structural loading. Include depth, shape, dimensions, and appurtenances indicated.
 1. Bottom, Walls, and Top: Reinforced concrete.
 2. Channels and Benches: Concrete.
 3. Steps: Cast steps into sidewalls at 12 inch intervals. Omit steps for catch basins less than 60 inches deep.
- C. Frames and Grates - Catch Basins: ASTM A36, Carbon Steel. Dimensions as indicated. Coat structural steel grates with bituminous paint in the shop or in the field prior to placement. Coat structural steel frames with bituminous paint at the time of placement in the concrete inlet top.
- D. Frames and Grates - Trench Drains: ASTM A48-83, Class 35B, heavy-duty gray iron, similar in design to Neenah Foundry Co., Catalog Number R-4990-Ex with Type A Grate and type E Cover as indicated.

2.6 CONCRETE

A. General: Cast-in-place concrete according to ACI 318, ACI 350R, and the following:

1. Cement: ASTM C 150, Type II.
2. Fine Aggregate: ASTM C 33, sand.
3. Coarse Aggregate: ASTM C 33, crushed gravel.
4. Water: Potable.

B. Structures: Portland cement design mix, 4,000 psi minimum, with a 0.45 maximum water-cement ratio.

1. Reinforced Fabric: ASTM A 185, steel, welded wire fabric, plain.
2. Reinforcement Bars: ASTM A 615, Grade 60 (ASTM A 615M, Grade 400), deformed steel.

C. Structure Channels and Benches: Factory or field-formed from concrete. Portland cement design mix, 4,000 psi minimum, with 0.45 maximum water-cement ratio.

1. Include channels and benches in sanitary sewerage manholes and storm drainage manholes.

a) Manhole channels: concrete invert, formed to same width as connected piping, with height of the vertical sides to $\frac{3}{4}$ of the pipe diameter. Form curved channels with smooth, uniform radius and slope.

1) Invert slope: Same as connecting pipe through manhole.

b) Manhole Benches: Concrete, sloped to drain into channel.

1) Slope: 0.25 inch per foot (1:48).

2. Include channels and benches in storm drainage catch basins.

a) Catch Basin Channels: concrete invert, formed to same width as connected piping, with height of the vertical sides to $\frac{3}{4}$ of the pipe diameter. Form curved channels with smooth, uniform radius and slope.

b) Catch Basin Benches: Concrete, sloped to drain into channel.

1) Slope: 0.25 inch per foot (1:

D. Ballast and Pipe Supports: Portland cement design mix, 3,000 psi minimum, with 0.58 maximum water-cement ratio.

1. Reinforcement Fabric: ASTM A 185, steel, welded wire fabric, plain.
2. Reinforcement Bars: ASTM A 165, Grade 60 (ASTM A 615M, Grade 400), deformed steel.

2.7 PROTECTIVE COATINGS

A. General: Include factory or field-applied protective coatings to structures and appurtenances according to the following:

B. Coating: 1 or 2 coat, coal-tar epoxy, 15 mil minimum thickness, except where otherwise indicated.

2.8 OUTFALLS

A. Riprap: Shall conform to SHS, Subsection 850.2 for the size indicated.

PART 3 - EXECUTION

3.1 EARTHWORK

A. Excavating, trenching, and backfilling are specified in Division 2 Section "Earthwork."

3.2 IDENTIFICATION

A. Materials and their installation are specified in Division 2 Section "Earthwork." Arrange for installation of green warning tapes directly over piping and at outside edges of underground structures.

3.3 SEWERAGE PIPING APPLICATIONS

A. General: Include watertight joints.

- B. Refer to Part 2 of this Section for detailed specifications for pipe and fitting products listed below.

3.4 DRAINAGE PIPING APPLICATIONS

- A. General: Include watertight joints.
- B. Refer to Part 2 of this Section for detailed specifications for pipe and fitting products listed below.

3.5 SPECIAL PIPE COUPLING AND FITTING APPLICATIONS

- A. Special Pipe Couplings: Use where indicated and where required to join piping and no other appropriate method is specified. Do not use instead of specified joining methods.
 - 1. Use the following pipe couplings for non-pressure applications:
 - a) Strait-pattern, sleeve-type to join piping of same size, with small difference in outside diameters.
 - b) Increaser/reducer-pattern, sleeve-type to join piping of different sizes.
 - c) Gasket-type to join piping of different sizes where annular space between smaller piping's outside diameter and larger piping's inside diameter permits installation.
 - d) Internal expansion-type to join piping with same inside diameter.

3.6 INSTALLATION, GENERAL

- A. General Locations and Arrangements: Drawings (plans and details) indicate the general location and arrangement of underground sewerage and drainage systems piping. Location and arrangement of piping layout take into account many design considerations. Install piping as indicated, to extent practical.
- B. Install piping beginning at low point of systems, true to grades and alignment indicated with unbroken continuity of invert. Place bell ends of piping facing upstream. Install gaskets, seals, sleeves, and couplings according to manufacturer's recommendations for use of lubricants, cements, and other installation requirements. Maintain swab or drag in line and pull past each joint as it is completed.

- C. Use manholes for changes in direction except where fittings are indicated. Use fittings for branch connections, except where direct tap into existing sewer is indicated.
- D. Use proper size increasers, reducers, and couplings, where different sizes or materials of pipes and fittings are connected. Reduction of the size of piping in the direction of flow is prohibited.
- E. Install gravity-flow systems piping at constant slope between points and elevations indicated.
- F. Extend sewerage piping and connect to building's sanitary drains, of sizes and in locations indicated. Terminate piping as indicated.
- G. Extend drainage piping and connect to building's storm drains, of sizes and in locations indicated. Terminate piping as indicated.

3.7 PIPE JOINT CONSTRUCTION AND INSTALLATION

- A. General: Join and install pipe and fittings according to the following.
- B. Polyethylene (PE) Plastic Pipe and Fittings: As follows:
 - 1. Install according to ASTM D 2321 and manufacturer's written instructions.
- C. Polyvinyl chloride (PVC) Plastic Pipe and fittings: As follows:
 - 1. Install according to ASTM D 2321.
- D. Join piping made of different materials or dimensions with couplings made for this application. Use couplings that are compatible with and fit both systems' materials and dimensions.

3.8 MANHOLE INSTALLATION

- A. General: Install manholes, complete with accessories, as indicated.
- B. Form continuous concrete channels and benches between inlets and outlet, where indicated.
- C. Set tops of frames and covers flush with finished surface.

D. Place pre-cast concrete manhole sections as indicated, and install according to ASTM C 891.

1. Provide neoprene joint gasket complying with ASTM D 1056 at joints of sections.
2. Apply bituminous mastic coating at joints of sections.

3.9 CATCH BASIN INSTALLATION

- A. Construct catch basins to sizes and shapes indicated.
- B. Set frames and grates to elevations indicated.

3.10 STORM DRAINAGE INLET AND OUTFALL INSTALLATION

- A. Construct riprap of broken stone, as indicated.

3.11 CONCRETE PLACEMENT

- A. Place cast-in-place concrete according to ACI 318, ACI 350R, and as indicated.

3.12 TAP CONNECTIONS

- A. Make connections to existing piping and underground structures so finished work conforms as nearly as practical to requirements specified for new work.
- B. Make branch connections from side into existing underground structures by cutting an opening into existing unit large enough to allow 3 inches of concrete to be packed around entering connection. Cut end of connection pipe passing through structure wall to conform to shape of and be flush with inside wall, unless otherwise indicated. On outside of structure wall, encase entering connection in 6 inches of concrete for a minimum length of 12 inches to provide additional support of collar from connection to undisturbed ground.
 1. Use concrete that will attain a minimum 28-day compressive strength of 3,000 psi, unless otherwise indicated.
 2. Use epoxy bonding compound as an interface between new and existing concrete and piping materials.

- C. Protect existing piping and structures to prevent concrete or debris from entering while making tap connections. Remove debris or other extraneous material that may accumulate.

3.13 FIELD QUALITY CONTROL

- A. Clear interior of piping and structures of dirt and superfluous material as the work progresses. Maintain swab or drag in piping and pull past each joint as it is completed.
 - 1. In large, accessible piping, brushes and brooms may be used for cleaning.
 - 2. Place plug in end of incomplete piping at end of day and whenever work stops.
 - 3. Flush piping between manholes and other structures, if required by authorities having jurisdiction, to remove collected debris.
- B. Inspect interior of piping to determine whether line displacement or other damage has occurred. Inspect after approximately 24 inches of backfill is in place, and again at completion of the project.
 - 1. Submit separate reports for each system inspection.
 - 2. Defects requiring correction include the following:
 - a) Alignment: Less than full diameter of inside of pipe is visual between structures.
 - b) Deflection: flexible piping with deflection that prevents passage of a ball or cylinder of a size not less than 92.5 percent of piping diameter.
 - c) Crushed, broken, cracked, or otherwise damaged piping.
 - d) Infiltration: Water leakage into piping.
 - e) Exfiltration: Water leakage from or around piping.
 - 3. Replace defective piping using new materials and repeat inspections until defects are within allowances specified.
 - 4. Re-inspect and repeat procedure until results are satisfactory.
- C. Test new piping systems and parts of existing systems that have been altered, extended, or repaired for leaks and defects.
 - 1. Do not enclose, cover, or put into service before inspection and approval.
 - 2. Test completed piping systems according to authorities having jurisdiction.
 - 3. Schedule tests, and their inspections by authorities having jurisdiction, with at least 24 hours' advance notice.
 - 4. Submit separate reports for each test.

5. Perform tests as follows:

a) Sanitary Sewerage: Perform air test according to the following:

1) Scope:

1.1 This section defines the procedure for testing sewer pipe using low-pressure air to demonstrate the structural integrity of the installed line.

1.1 This test method shall be performed on lines after connection laterals, if any have been plugged and braced adequately with standard test pressure, and after the trenches have been backfilled to a sufficient depth to generate a significant portion of the ultimate trench load on the pipe.

1.2 This test method may also be used as a preliminary test, which enables the installer to demonstrate the condition of the line prior to backfill and further construction activities.

2) Hazards:

2.1 The low-pressure air test may be dangerous to personnel if, through lack of understanding or carelessness, a line is overpressurized or plugs are installed improperly. It is extremely important that the various plugs be installed so as to prevent a sudden explosion of a poorly-installed or partially-inflated plug.

3) Procedure:

3.1 Determine the test time for the section according to the following table:

TABLE 1 - MINIMUM TEST TIME FOR VARIOUS PIPE SIZES

<u>Normal</u> <u>Pipe Size, Inches</u>	<u>T (Time)</u> <u>Min./100 Ft.</u>	<u>Normal</u> <u>Pipe Size, Inches</u>	<u>T (Time)</u> <u>Min./100 Ft.</u>
6	0.7	27	4.2
8	1.2	30	4.8
10	1.5	33	5.4

3.2 Plug all openings in the test section.

3.3 Add air until the internal pressure of the line is raised to approximately 4.0 psi (28 kPa). After this pressure is reached, allow the pressure to stabilize. The pressure will drop normally as the air temperature stabilizes. This usually takes 2-5 minutes, depending upon the pipe size. The pressure should be reduced to 3.5 psi (24 kPa) before starting the test.

3.4 Start the test when the pressure is at 3.5 psi (24 kPa). If a 1 psi (7 kPa) drop does not occur within the test time, the line has passed. If the pressure drop is more than 1 psi (7 kPa) during the test time, the line is presumed to have failed the test.

6. Manholes: Shall be vacuum-tested per town requirements.
7. Leaks and loss n test pressure constitute defects that must be repaired.
8. Replace leaking piping using new materials and repeat testing until leakage is within allowances specified.

END OF SECTION 02700

A.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

□ **Main Office**
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-Mail Address:
mje@mhepc.com

MEMORANDUM

7 February 2002

TO: MIKE BABCOCK, TOWN BUILDING INSPECTOR

FROM: MARK J. EDSALL, P.E., TOWN ENGINEER

**SUBJECT: CHERRY VALLEY SUBDIVISION (P.B. REF. NO. 00-20)
AMELIA COURT (OFF LAKE ROAD)**

In my memorandum dated 2 October 2001 to Myra Mason, I established a completion bond for the private road of the subject project in an amount of \$7535. Since that time, the developer has completed the work associated with the private road.

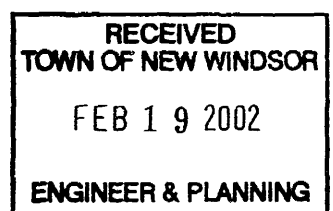
Attached hereto please find an as-built survey indicating that the road has been constructed within the right of way. This is for your records.

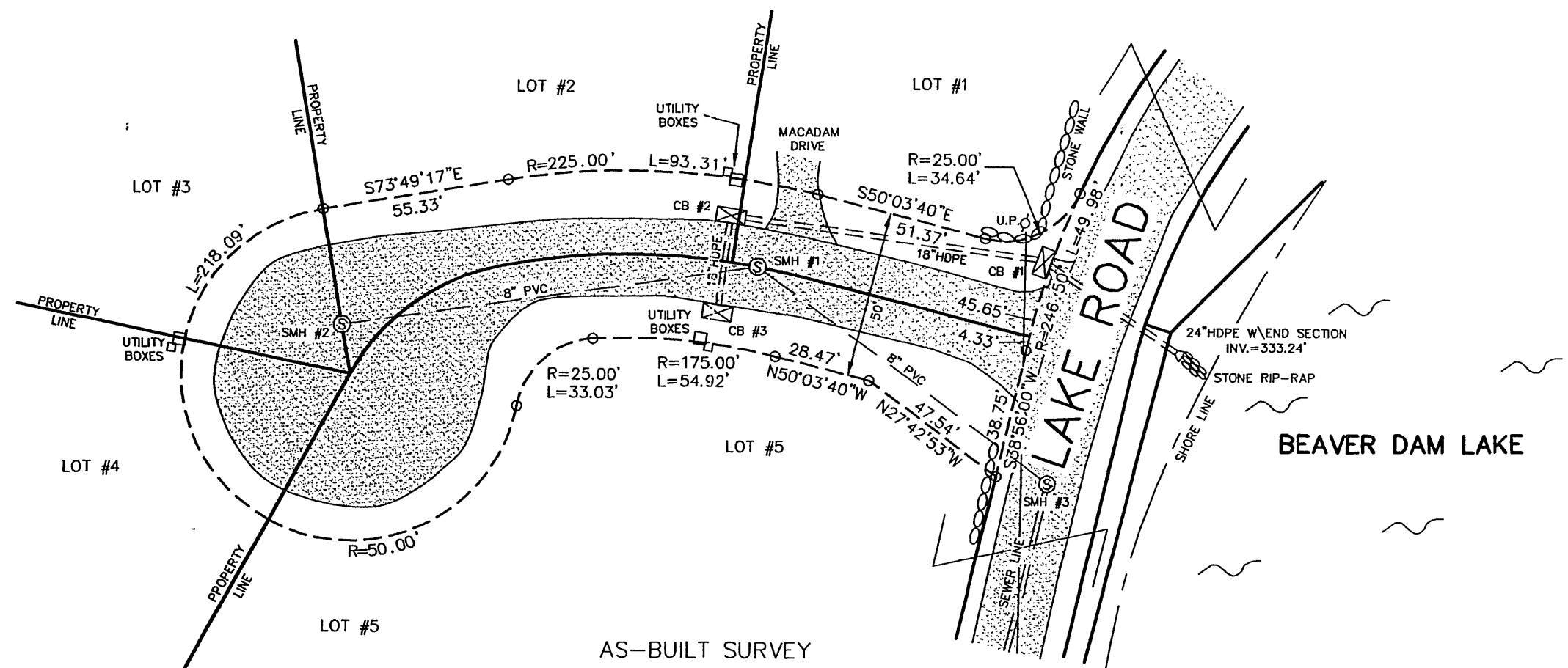
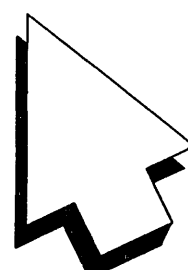
In line with the above, I by copy of this memo to Larry Reis, I am recommending that the performance/completion guarantee in the amount of \$7535 be released in full.

If you have any questions concerning this matter, please do not hesitate to contact me.

cc: Larry Reis
Myra Mason (w/encl)

NW00-20-BabcockMemo020702.doc
MJE/st





SEWER INVERTS

SEWER MANHOLE #1
RIM=341.42'
INV.=338.47'

SEWER MANHOLE #2
RIM=343.72'
INV.=340.67'

SEWER MANHOLE #3
RIM 341.81'
INV.IN=335.41'
INV.OUT=335.51'





CATCH BASIN INVERTS

CATCH BASIN #1
FLAT GRATE TOP=343.89'
INV.IN=334.39'
INV.OUT=334.19'

CATCH BASIN #2
FLAT GRATE TOP=340.68'
INV.IN=335.68'
INV.OUT=335.51'

CATCH BASIN #3
FLAT GRATE TOP=341.03'
INV.OUT=335.83'

LEGEND:

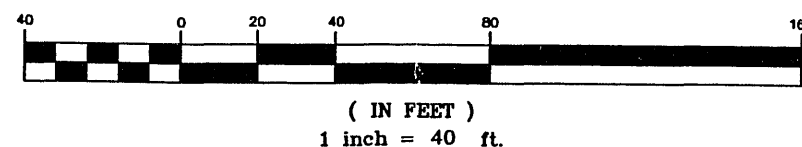
CATCH BASIN 
SEWER MANHOLE 
UTILITY POLE 
SHORE LINE 

AS-BUILT SURVEY
OF
AMELIA COURT
A PRIVATE ROAD

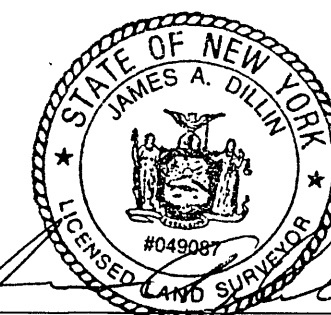
TOWN OF NEW WINDSOR
SCALE: 1"=40'

ORANGE COUNTY, N.Y.
JANUARY 14, 2002

GRAPHIC SCALE



REFERENCE: MAP ENTITLED "CHERRY VALLEY LAKE ROAD" FILED IN
THE O.C.C.O. ON DECEMBER 7, 2001 AS MAP # 261-01.



LIC.49087
JAMES A. DILLIN, PLS
PROFESSIONAL LAND SURVEYOR
GOSHEN, NEW YORK

OR00-80

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/11/2001

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, With
A [Disap, App

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUB - 727-2000

APPLICANT: DEJANA, VINCENT

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/05/2001	PLANS STAMPED	APPROVED
08/08/2001	P.B. APPEARANCE	APPR COND.
	. NEED COST ESTIMATE -	ADDRESS MARK'S COMMENTS OF 8/8/01 -
	. CORRECT BULK TABLES -	SUBMIT EASEMENT DOCUMENTS
01/10/2001	CONTINUED PUBLIC HEARING	LA:ND CLOSED PH
01/10/2001	CONTINUED PUBLIC HEARING	GRANTED PRELIM APPR
12/13/2000	P.B. APPEARANCE - PUBLIC HEA	REVISE - PH TABLED
	. ANDY KRIEGER APPROVED MAINTENANCE AGREEMENT -	ADVISED
	. APPLICANT TO SUBMIT EXECUTED COPY. -	ADD NOTE TO PLAN FOR
	. 10' BUFFER ZONE ON BACK OF LOTS, NORTH PROPERTY LINE AND	
	. PERIMETER OF PROPERTY -	PERMISSION GRANTED TO CLEAR
	. PROPERTY. -	PUBLIC HEARING TABLED UNTIL 1-10-01
11/15/2000	P.B. APPEARANCE	SET UP FOR PH
	. NEED NOTE ON PLAN FOR SMALL PARCELS NOT TO BE SOLD	
	. SEPARATELY. NEED PRIVATE ROAD MAINT. DECLARATION -	CHANGE
	. LOT LINES OF LOTS AND ROAD	
11/01/2000	WORK SHOP APPEARANCE	SUBMIT
08/16/2000	WORK SHOP APPEARANCE	RET TO WS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/11/2001

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUB - 727-2000

APPLICANT: DEJANA, VINCENT

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	01/05/2001	MUNICIPAL HIGHWAY	01/10/2001	APPROVED
REV1	01/05/2001	MUNICIPAL WATER	01/10/0100	APPROVED
REV1	01/05/2001	MUNICIPAL SEWER	/ /	
REV1	01/05/2001	MUNICIPAL FIRE	01/08/2001	APPROVED
REV1	01/05/2001	NYS DOT	/ /	
ORIG	11/13/2000	MUNICIPAL HIGHWAY	12/12/2000	DISAPPROVED
		. DRAINAGE PROBLEMS. aDDITIONAL CATCH BASINS MUST BE		
		. INSTALLED ALONG THE SHOULDER OF LAKE ROAD AND AMELIA COURT.		
		. IN ADDITION, THE PIPE SIZE IN THE DEVELOPMENT MUST BE		
		. UPGRADED TO 18" AND THE CROSSING OF LAKE ROAD SHOULD BE 24".		
		. SIGHT DISTANCE IS AN ADDITIONAL PROBLEM. BRUSH NEEDS TO BE		
		. CLEANED.		
ORIG	11/13/2000	MUNICIPAL WATER	11/14/2000	APPROVED
ORIG	11/13/2000	MUNICIPAL SEWER	01/05/2001	SUPERSEDED BY REV1
ORIG	11/13/2000	MUNICIPAL FIRE	12/12/2000	APPROVED
ORIG	11/13/2000	NYS DOT	01/05/2001	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/11/2001

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUB - 727-2000
APPLICANT: DEJANA, VINCENT

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	11/13/2000	EAF SUBMITTED	11/13/2000	WITH APPLICATION
ORIG	11/13/2000	CIRCULATE TO INVOLVED AGENCIES	11/15/2000	SEND COOR LET
ORIG	11/13/2000	LEAD AGENCY DECLARED	01/10/2001	TOOK LA
ORIG	11/13/2000	DECLARATION (POS/NEG)	01/10/2001	DECL. NEG DEC
ORIG	11/13/2000	SCHEDULE PUBLIC HEARING	11/15/2000	SCHED. PH
ORIG	11/13/2000	PUBLIC HEARING HELD	12/13/2000	OPEN PH
		. PUBLIC HEARING TABLED UNTIL 1-10-01		
		. 01-10-01 CONTINUED PUBLIC HEARING - CLOSED PH		
ORIG	11/13/2000	WAIVE PUBLIC HEARING	/ /	
ORIG	11/13/2000	AGRICULTURAL NOTICES	/ /	

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#1118-2001**

12/04/2001

PB# 00-20 (approval fee)
**Cherry Valley Builders Inc.
110 Cherry Valley Ave.
West Hempstead, NY 11552**

**Received \$ 275.00 for Planning Board Fees on 12/04/2001. Thank you for stopping
by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/04/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/13/2000	REC. CK. #1858	PAID		675.00	
11/15/2000	P.B. ATTY. FEE	CHG	35.00		
11/15/2000	P.B. MINUTES	CHG	27.00		
12/13/2000	P.B. ATTY. FEE	CHG	35.00		
12/13/2000	P.B. MINUTES	CHG	45.00		
01/10/2001	P.B. ATTY FEE	CHG	35.00		
01/10/2001	P.B. MINUTES	CHG	31.50		
08/08/2001	P.B. ATTY FEE	CHG	35.00		
08/08/2001	P.B. MINUTES	CHG	9.00		
10/02/2001	P.B. ENGINEER FEE	CHG	835.50		
12/04/2001	REC. CK. #1151	PAID		413.00	
			-----	-----	-----
		TOTAL:	1088.00	1088.00	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/04/2001

PAGE: 1


LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION

APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	4 LOT REC FEE	CHG	2000.00		
12/04/2001	REC. CK. #1152	PAID		2000.00	
			-----	-----	-----
		TOTAL:	2000.00	2000.00	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/04/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
SITE PLAN BOND

FOR PROJECT NUMBER: 0-20
NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	PRIVATE ROAD BOND	CHG	7535.00		
12/04/2001	REC. CK. #1154	PAID		7535.00	
			-----	-----	-----
		TOTAL:	7535.00	7535.00	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/04/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION

APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	4% OF 13,320.00 INSP FEE	CHG	532.80		
10/02/2001	2% OF 28,440.50 INSP FEE	CHG	568.81		
12/04/2001	REC. CK. #1155	PAID		1101.61	
		TOTAL:	1101.61	1101.61	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/02/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/13/2000	REC. CK. #1858	PAID		675.00	
11/15/2000	P.B. ATTY. FEE	CHG	35.00		
11/15/2000	P.B. MINUTES	CHG	27.00		
12/13/2000	P.B. ATTY. FEE	CHG	35.00		
12/13/2000	P.B. MINUTES	CHG	45.00		
01/10/2001	P.B. ATTY FEE	CHG	35.00		
01/10/2001	P.B. MINUTES	CHG	31.50		
08/08/2001	P.B. ATTY FEE	CHG	35.00		
08/08/2001	P.B. MINUTES	CHG	9.00		
10/02/2001	P.B. ENGINEER FEE	CHG	835.50		
		TOTAL:	1088.00	675.00	413.00

Check #1

Have to Ken base 10/2/01

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/02/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	4 LOT REC FEE	CHG	2000.00		
			-----	-----	-----
		TOTAL:	2000.00	0.00	2000.00

Check #2

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/02/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	SUB. APPROVAL FEE	CHG	275.00		
			-----	-----	-----
		TOTAL:	275.00	0.00	275.00

Check #3

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/02/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
SITE PLAN BOND

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION

APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	PRIVATE ROAD BOND	CHG	7535.00		
			-----	-----	
		TOTAL:	7535.00	0.00	7535.00

Check #4

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/02/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 0-20

NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/02/2001	4% OF 13,320.00 INSP FEE	CHG	532.80		
10/02/2001	2% OF 28,440.50 INSP FEE	CHG	568.81		
			-----	-----	-----
		TOTAL:	1101.61	0.00	1101.61

Check #5



SILT FENCE

Ken Gass

CHERRY VALLEY BUILDERS
CUSTOM HOMES

110 Cherry Ave.
W. Hempstead, NY 11552
516-292-6000

87 Scotland Rd.
Chestnut Ridge, NY 10977
914-552-1400

Fax 516-292-6090

9/01 15:55 FAX 914 291 8657

02

Cherry Valley Lake Road- Town of New Windsor**Private Improvement Bond Estimate**

09-Aug-01

Roadway Improvements:

	quantity	unit	price/unit	total
Clear & Grade Road ROW		SF	\$ 0.75	\$ -
Clear & Grade Road ROW	300	LF	\$ 16.50	\$ 4,950.00
Erosion Control	4	Acre	\$ 250.00	\$ 1,000.00
				\$ -
Roadway Subbase	320	CY	\$ 20.00	\$ 6,400.00
				\$ -
Asphalt Pavement (2.0" top)	950	SY	\$ 3.75	\$ 3,562.50
Asphalt Pavement (3.5" binder)		SY	\$ 8.75	\$ -
				\$ -
Tack Coat	950	SY	\$ 0.40	\$ 380.00
				\$ -
Roadway ROW Topsoil & Seeding	670	SY	\$ 2.00	\$ 1,340.00
				\$ -
Concrete Monuments		EA	\$ 125.00	\$ -
Roadway Record Drawing		LS	\$ 3,000.00	\$ -
Street Signs (Traffic Control)	2	EA	\$ 125.00	\$ 250.00
Street ID Signs	1	EA	\$ 150.00	\$ 150.00
				\$ -
Concrete Curbing		LF	\$ 17.00	\$ -
Concrete Sidewalk		SY	\$ 45.00	\$ -
				\$ -

Drainage Improvements:

				\$ -
				\$ -
Catch Basin	3	EA	\$ 1,300.00	\$ 3,900.00
Connection to existing Catch Basin		EA	\$ 1,000.00	\$ -
Stormwater Pipe (HDPE-15")		LF	\$ 30.00	\$ -
Stormwater Pipe (HDPE-18")	120	LF	\$ 35.00	\$ 4,200.00
Stormwater Pipe (HDPE-24")	44	LF	\$ 40.00	\$ 1,760.00
Stormwater Pipe (HDPE-30")		LF	\$ 50.00	\$ -
End Sections (HDPE)	1	EA	\$ 500.00	\$ 500.00
				\$ 500.00
Concrete Headwall		EA	\$ 5,000.00	\$ -
Rip Rap Drainage Channel	8	LF	\$ 6.00	\$ 48.00

SUM: \$ 28,440.50

TOTAL P.02

APPLICATION FOR APPROVAL OF PLANS FOR A WASTEWATER DISPOSAL SYSTEM

1. NAME OF APPLICANT TOWN OF NEW WINDSOR		2. LOCATION OF WORKS (City, Village, Town) TOWN OF NEW WINDSOR		3. COUNTY ORANGE	
4. ENTITY OR AREA SERVED CHERRY VALLEY LAKE RD. SUBDIVISION		5. TYPE OF OWNERSHIP <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Private - Other <input type="checkbox"/> Industrial <input type="checkbox"/> Sewage Works Corp. <input type="checkbox"/> Private - Institutional <input type="checkbox"/> <input type="checkbox"/> Private - Home <input type="checkbox"/> Board of Education <input type="checkbox"/> Authority <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> State <input type="checkbox"/> Interstate <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> International <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Indian Rese.			
6. TYPE AND NATURE OF CONSTRUCTION Collection System <input checked="" type="checkbox"/> New <input type="checkbox"/> Additions or Alterations		Treatment and/or Disposal <input type="checkbox"/> New <input type="checkbox"/> Additions or Alterations		7. ESTIMATED COST OF CONSTRUCTION Collection System \$15,000-	
8. TYPE OF WASTE <input checked="" type="checkbox"/> Sewage <input type="checkbox"/> Industrial (Specify) _____ <input type="checkbox"/> Other (Specify) _____					
9. NAME OF RECEIVING TREATMENT WORKS NEW WINDSOR SEWAGE TREATMENT PLANT		10. POINT OF DISCHARGE Surface Water: (Name of Watercourse) MOODNA CREEK		Class C	
Ground Water: (Name of Watercourse to which ground water is tributary) N/A				Class _____	
11. IS STATE OR FEDERAL AID APPLIED FOR? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Give Project No. _____		12. LOCATION (City, Village, Town) T. NEW WINDSOR		13. TYPE OF PERMIT <input type="checkbox"/> NPDES <input checked="" type="checkbox"/> SPDES	
NAME OF DESIGN ENGINEER MJS ENGINEERING, PC MICHAEL J. SANDOR, PE		PERMIT NO. NY0022446		DATE ISSUED _____	
ADDRESS 261 GREENWICH AVE, GOSHEN NY 10924		NEW YORK STATE LICENSE NO. 60445		TELEPHONE NO. 845.291.8650	
14. WATER CONSUMPTION (GPD) Present _____		Future _____		Design Year _____	
15. POPULATION SERVED Present _____		Future _____		Design Year 2001	
16. AVERAGE DAILY FLOW FOR EXISTING TREATMENT WORKS (GPD) Present 3,060,000		Future (5 MGD CAPACITY)		Design Year 2001	
17. SOURCE OF WATER SUPPLY (If private well; give location, type, depth and character of soil) DRILLED WELLS, ON SITE, 200-300 DEEP ROCK.		18. DESIGN EQUIVALENT POPULATION (BOD Basis) Design Flow _____ GPD Design Plant Eff _____			
19. GIVE NUMBER, CHARACTER AND DISTANCE OF ANY BUILDINGS WHICH MAY BE AFFECTED BY THE PROPOSED TREATMENT WORKS N/A - EXISTING		20. DESCRIBE PROPOSED OR EXISTING STORM WATER DISPOSAL AREA DRAIN INLETS TO UNDERGROUND PIPING			
21. ADDITIONAL INFORMATION MUST BE SUBMITTED FOR PRIVATE AND INSTITUTIONAL SYSTEMS. N/A.					
22. INDICATE OF U.S.G.S. TOPOGRAPHIC MAP EXACT LOCATION OF SEWAGE TREATMENT WORKS AND ADJACENT BUILDINGS. SHOW LOCATION OF ALL WELL OTHER SOURCES OF WATER SUPPLY WITHIN 200' OF THE PROPOSED WORKS. GIVE DESCRIPTION OF THESE SOURCES AND CHARACTER OF SOIL. N/A - EXISTING					
23. STATE DEPTH BELOW EXISTING GROUND SURFACE AT WHICH GROUND WATER IS ENCOUNTERED 5 FT. (ESTIMATED)		24. DESCRIBE SOIL AT SITE OF PROPOSED WORKS. GIVE DESIGN BASIS AND OBSERVED SOIL PERCOLATION RATE DATA (Use additional sheet, if necessary)			

NOTE: All applications must be accompanied by plans, specifications and completed Form BSP-65 (appropriate portions). The submission must conform to a previously approved engineering report describing the system in detail. The plans must be stamped with the designing engineer's seal and must be of sufficient clarity and eligibility to permit satisfactory microfilming. Only white prints will be accepted because of the difficulty of microfilming blue prints. There must be a blank area, at least 4" x 7", in the lower right corner of each sheet so that the approval stamp may be placed on the face of the plans.

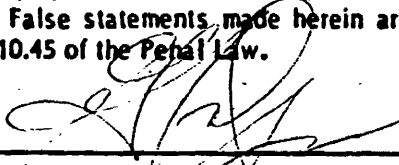
Any deviation from the Department's standards for wastewater collection and treatment facilities must be explained in detail.

Approved plans are to be returned to: ☐ Applicant ☒ Engineer

If the application is signed by a person other than the applicant shown in Item 1, the application must be accompanied by a letter of authorization. Failure to comply with this provision may be grounds for the rejection of any submission.

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signatures and Official Titles: ☒



GEORGE J. MEYERS SUPERVISOR

Mailing Address: ☒

555 UNION AVENUE

NEW WINDSOR, NY 12553

Date of Application: ☒

3-30-01

REMARKS:



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

U Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@aol.net

U Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 298-2705
e-mail: mhope@pki.net

MEMORANDUM


(via fax)

2 October 2001

TO: MYRA MASON, PLANNING BOARD SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: CHERRY VALLEY SUBDIVISION - LAKE ROAD
NWPB APP. NO. 00-20



The subject application received approval on 8 August 2001. The applicant now wishes to close out the application.

Attached is my memorandum dated 17 September 2001, which outlines the bond amounts and inspection fees. These are still valid for use in determining the inspection fees to be paid as part of the approval.

The applicant has proceeded with construction, and consequently the bond amounts to be posted can be decreased. Based on my site visit on 1 October 2001, I recommend that a bond amount be posted with the planning board in a total amount of \$7535 to guarantee completion of the private road and improvements.

Attached is our time printout. Call if you have any questions.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhenry@att.net

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
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e-mail: mhpa@ptd.net

MEMORANDUM

(via fax)

17 September 2001

TO: MYRA MASON, PLANNING BOARD SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

**SUBJECT: CHERRY VALLEY SUBDIVISION
NWPB APP. NO. 00-20**

The subject application received conditional final approval on 8-8-01. I have received the attached cost estimate from Mike Sandor. Please note the following regarding the application:

1. The private improvement cost estimate in the amount of \$28,440.50 is acceptable. This should be submitted in a form acceptable to the Planning Board Attorney to guarantee completion of the Private Road and related improvements, before the plan is stamped. The inspection fee (2%) is therefore \$568.81.
2. The public improvement cost estimate for the public sewer was not included, but has been calculated. The amount is \$ 13,320.00 and must be submitted prior to stamp of approval. The inspection fee (4%) is therefore \$532.80.
3. The plan has been corrected and is acceptable for stamp of approval.
4. The easement document for the public sewer should be submitted to the Town Attorney, and found acceptable, prior to dedication of the work to the Town. This does not need to be done before stamp of approval.

If the applicant has constructed work included in the above calculations, I request that they submit a breakdown indicating the work which is complete at this time. We will verify the status and advise you of the "net" amount which must be posted prior to stamp of approval.

Cc: Mike Sandor, P.E., Applicant's Engineer (via fax)

NW90-20-Myra Memo091701.doc
MJE/s

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____

___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____

___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ _____

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00

PRELIMINARY PLAT APPROVAL\$ 100.00

FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 125.00

FINAL PLAT SECTION FEE.....\$ 100.00

BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 275.00

* * * * *

RECREATION FEES:

4 LOTS @ \$500.00 PER LOT\$ 2000.00

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ _____

PLANNING BOARD ATTORNEY FEES.....\$ _____

MINUTES OF MEETINGS.....\$ _____

OTHER.....\$ _____

* * * * *

PERFORMANCE BOND AMOUNT.....\$ _____

4% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

2% OF APPROVED COST ESTIMATE:.....\$ _____
(INSPECTION FEE)

MJS ENGINEERING
CIVIL/ENVIRONMENTAL

MJS Engineering, PC
261 Greenwich Avenue
Goshen, NY 10924
(845) 291-8650 Fax (845) 291-8657

Via Fax

000134

18 September 2001

Mr. Mark Edsall, PE
McGoey, Hauser & Edsall
Consulting Engineers, PC
33 Airport Center Drive, Suite 202
New Windsor, NY 12553

RE: Cherry Valley Subdivision, Town of New Windsor
New Windsor Planning Board Application #00-20

Dear Mark:

We received your memorandum of 17 September 2001 as it relates to the Cherry Valley Subdivision in the Town of New Windsor. Based upon your memorandum, we wish to point out the following:

1. We have revised the cost of the Bond Estimate to reflect the "percent complete" of the items as it relates to the roadway and drainage improvements. We also wish to point out that the sanitary sewer improvements have been completely installed and, in fact, were inspected by Mr. Jason Ross of your staff on July 23, 2001. Also note that all the pressure testing has been completed as it relates to this item.

The revised Bond Estimate has now been reduced to \$5,682.50. I hope you find that amount acceptable.

2. We understand that the inspection fees must be posted for the work previously done. Those inspection fees are as follows:

Private Improvements: \$568.81

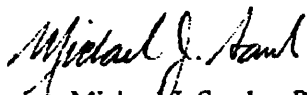
Public Improvements (Sewer Main): \$532.80

3. It is noted that the easement documents, etc. have been forwarded to the town attorney and are under his review.

Mr. Mark Edsall, PE
McGoey, Hauser & Edsall
Consulting Engineers, PC
18 September 2001

Based upon the above, please recalculate the amount of the bond that must be posted to file the map. We hope that this information meets with your approval and, if there are any questions, please do not hesitate to contact us.

Very truly yours,
MJS Engineering



Michael J. Sandor, PE

MJS/gl
Enc.

cc: Ms. Myra Mason (w/enc.) — Via Fax
K. Gass (w/enc.) — Via Fax

Cherry Valley Lake Road - Town of New Windsor

Private Improvement Bond Estimate

09-Aug-01
(revised 9-18-01)

Roadway Improvements:	<u>Quantity</u>	<u>Unit</u>	<u>Price/Unit</u>	<u>Total</u>	<u>% Complete</u>	<u>% Remaining</u>	<u>\$</u>
Clear & Grade Road ROW		SF	\$ 0.75	\$ -			
Clear & Grade Road ROW	300	LF	\$ 16.50	\$ 4,950.00	100	\$	-
Erosion Control	4	Acre	\$ 250.00	\$ 1,000.00	100	\$	-
				\$ -		\$	-
Roadway Subbase	320	CY	\$ 20.00	\$ 6,400.00	100	\$	-
Asphalt Pavement (2.0" top)	950	SY	\$ 3.75	\$ 3,562.50	0	\$	3,562.50
Asphalt Pavement (3.5" binder)		SY	\$ 8.75	\$ -		\$	-
Tack Coat	950	SY	\$ 0.40	\$ 380.00	0	\$	380.00
				\$ -		\$	-
Roadway ROW Topsoil & Seeding	670	SY	\$ 2.00	\$ 1,340.00	0	\$	1,340.00
Concrete Monuments		EA	\$ 125.00	\$ -		\$	-
Roadway Record Drawing		LS	\$ 3,000.00	\$ -		\$	-
Street Signs (Traffic Control)	2	EA	\$ 125.00	\$ 250.00	0	\$	250.00
Street ID Signs	1	EA	\$ 150.00	\$ 150.00	0	\$	150.00
				\$ -		\$	-
Concrete Curbing		LF	\$ 17.00	\$ -		\$	-
Concrete Sidewalk		SY	\$ 45.00	\$ -		\$	-
Drainage Improvements:							
Catch Basin	3	EA	\$ 1,300.00	\$ 3,900.00	100	\$	-
Connection to existing Catch Basin		EA	\$ 1,000.00	\$ -		\$	-
Stormwater Pipe (HDPE-15")		LF	\$ 30.00	\$ -		\$	-
Stormwater Pipe (HDPE-18")	120	LF	\$ 35.00	\$ 4,200.00	100	\$	-
Stormwater Pipe (HDPE-24")	44	LF	\$ 40.00	\$ 1,760.00	100	\$	-
Stormwater Pipe (HDPE-30")		LF	\$ 50.00	\$ -		\$	-
End Sections (HDPE)	1	EA	\$ 500.00	\$ 500.00	100	\$	-
			\$ 500.00	\$ -		\$	-
Concrete Headwall		EA	\$ 5,000.00	\$ -		\$	-
Rip Rap Drainage Channel	8	LF	\$ 6.00	\$ 48.00	100	\$	-
Public Sewer							
Estimated by MH&E	1	LS		\$13,320.00	100	\$	-
SUM:				<u>\$41,760.50</u>		<u>\$</u>	<u>5,682.50</u>

James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR
38 SCOTCHTOWN AVENUE
GOSHEN, NEW YORK 10924
PHONE (914) 294-9086 FAX (914) 294-3606

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange, State of New York, known and designated as "Amelia Court" as a Private Road shown on map entitled, "Subdivision Plan for Cherry Valley-Lake Road" filed in the Orange County Clerk's Office on as Map No. and being more particularly bounded and described as follows:

Beginning at a point on the northwesterly boundary of Lake Road, where the same is intersected by the centerline of Amelia Court, also being the division line between Lot #1 to the northeast and Lot #5 to the southwest, and running thence along the northwesterly boundary Lake Road, the following two courses and distances:

1. on a curve to the left having a radius of 246.50 feet and an arc length of 4.33 feet,
2. S38°56'00"W a distance of 38.75 feet to a point.

thence through Lots 5, 4, 3, 2 and 1, the following 9 courses and distances:

1. N27°42'53"W a distance of 47.54 feet,
2. N50°03'40"W a distance of 28.47 feet,
3. on a curve to the left having a radius of 175.00 and an arc length of 54.92 feet,
4. on a curve to the left having a radius of 25.00 feet and an arc length of 33.03 feet,
5. on a curve to the right having a radius of 50.00 feet and an arc length of 218.09 feet,
6. S73°49'17"E a distance of 55.33 feet,
7. on a curve to the right having a radius of 225.00 feet and an arc length of 93.31 feet,
8. S50°03'40"E a distance of 51.37 feet,
9. on a curve to the left having a radius of 25.00 feet and an arc length of 34.64 feet to a point;

thence along the first mentioned northwesterly boundary of Lake Road on a curve to the left having a radius of 246.50 and an arc length of 45.65 feet to the point of beginning.

Cherry Valley Lake Road- Town of New Windsor

Private Improvement Bond Estimate

09-Aug-01

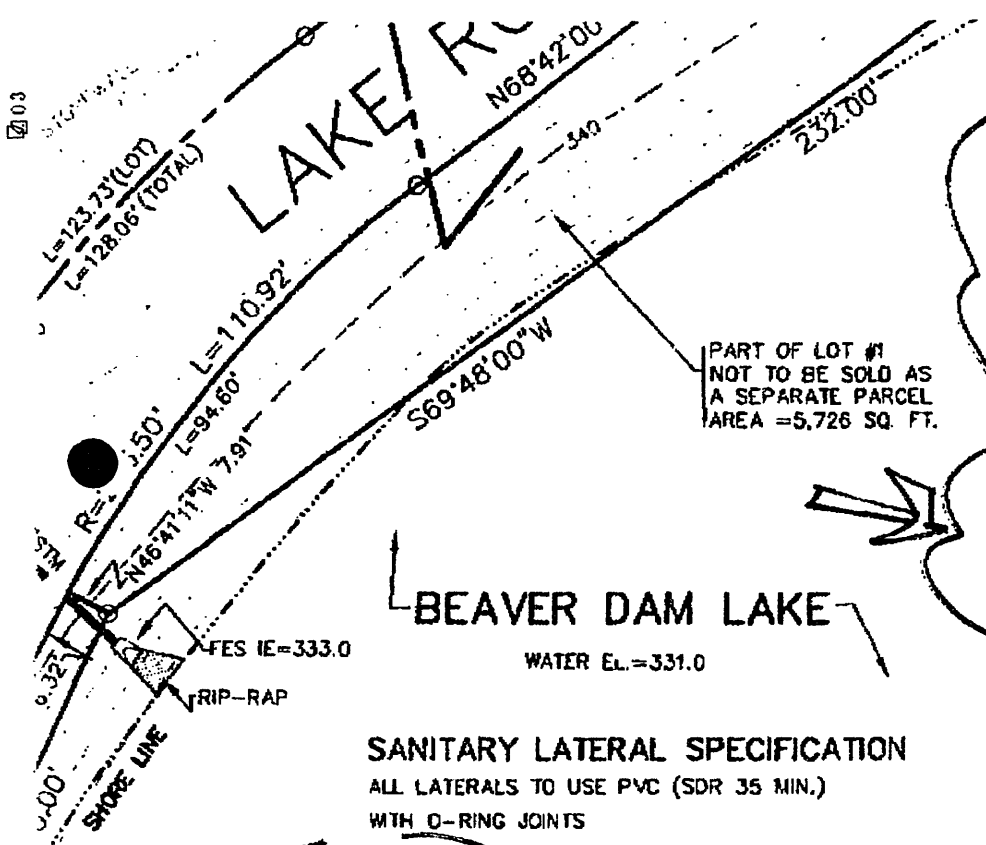
Roadway Improvements:	quantity	unit	price/unit	total
Clear & Grade Road ROW		SF	\$ 0.75	\$ -
Clear & Grade Road ROW	300	LF	\$ 16.50	\$ 4,950.00
Erosion Control	4	Acre	\$ 250.00	\$ 1,000.00
			\$ -	\$ -
Roadway Subbase	320	CY	\$ 20.00	\$ 6,400.00
			\$ -	\$ -
Asphalt Pavement (2.0' top)	960	SY	\$ 3.75	\$ 3,562.50
Asphalt Pavement (3.5" binder)		SY	\$ 8.75	\$ -
			\$ -	\$ -
Tack Coat	950	SY	\$ 0.40	\$ 380.00
			\$ -	\$ -
Roadway ROW Topsoil & Seeding	670	SY	\$ 2.00	\$ 1,340.00
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Concrete Monuments		EA	\$ 125.00	\$ -
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			\$ -	\$ -
Concrete Curbing		LF	\$ 17.00	\$ -
Concrete Sidewalk		SY	\$ 45.00	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Drainage Improvements:				\$ -
			\$ -	\$ -
Catch Basin	3	EA	\$ 1,300.00	\$ 3,900.00
Connection to existing Catch Basin		EA	\$ 1,000.00	\$ -
Stormwater Pipe (HDPE-15")		LF	\$ 30.00	\$ -
Stormwater Pipe (HDPE-18")	120	LF	\$ 35.00	\$ 4,200.00
Stormwater Pipe (HDPE-24")	44	LF	\$ 40.00	\$ 1,760.00
Stormwater Pipe (HDPE-30")		LF	\$ 50.00	\$ -
End Sections (HDPE)	1	EA	\$ 500.00	\$ 500.00
			\$ 500.00	\$ -
Concrete Headwall		EA	\$ 5,000.00	\$ -
Rip Rap Drainage Channel	8	LF	\$ 6.00	\$ 48.00

SUM: \$ 28,440.50

03

08/30/01 15:14 FAX 914 291 8657

RT OF LOT #5
T TO BE SOLD AS
SEPARATE PARCEL
A = 2,680 SQ. FT.



PART OF LOT #1
NOT TO BE SOLD AS
A SEPARATE PARCEL
AREA = 5,726 SQ. FT.

ZONE: R-4 SUBURBAN RESIDENTIAL

MINIMUM LOT AREA	21,790 SF
MINIMUM LOT WIDTH	100 FT.
MINIMUM FRONT YARD	35 FT.
MINIMUM SIDE YARD	15 FT.
MINIMUM BOTH SIDE YARDS	30 FT.
MINIMUM REAR YARD	40 FT.
MINIMUM STREET FRONTAGE	60 FT.
MAXIMUM BUILDING COVERAGE	20 %
MAXIMUM BUILDING HEIGHT	35 FT.
MINIMUM LIVABLE AREA	1000 SF

LOT	WIDTH
1	104.6
2	137.68
3	102.09
4	108.47
5	261.46

SANITARY LATERAL SPECIFICATION ALL LATERALS TO USE PVC (SDR 35 MIN.) WITH O-RING JOINTS

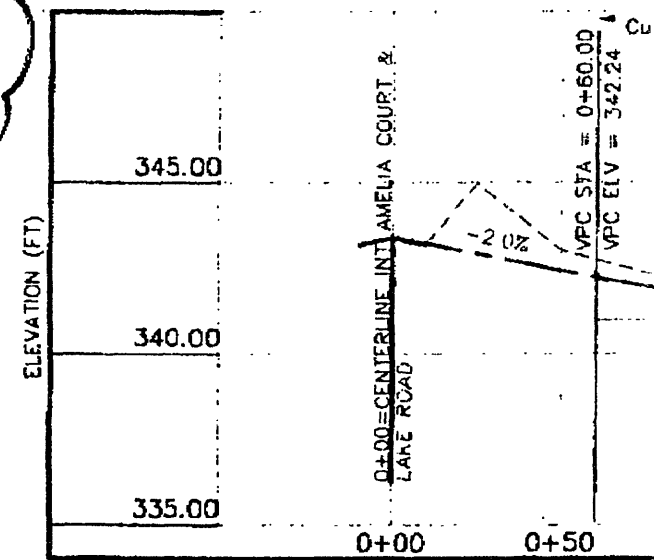
LOT AREAS:

LOT	GROSS AREA	NET AREA
1	34,842 SQ. FT.	32,426 SQ. FT.
2	29,761 SQ. FT.	26,305 SQ. FT.
3	42,343 SQ. FT.	40,841 SQ. FT.
4	28,272 SQ. FT.	26,677 SQ. FT.
5	39,379 SQ. FT.	30,142 SQ. FT.

AMELIA COURT: 16,976 SQ. FT.

NOTES:

1. TAX MAP DESIGNATION: SECTION 59 BLOCK 2 LOTS 18.1 & 18.2
2. BOUNDARY AND TOPOGRAPHIC SURVEY IS BASED ON AN ACTUAL FIELD SURVEY PREPARED BY JAMES A. DILLON, PLS, 38 SCOTCHTOWN AVENUE, GOSHEN, NY, DATED SEPT. 28, 2000.
3. TOTAL PARCEL AREA: 4.0082 ACRES
4. ALL FIVE LOTS WILL HAVE ACCESS TO LAKE ROAD VIA A



AMELIA COURT PROFILE

SCALE:
HORZ. = 1" = 50'
VERT. = 1" = 5'

ORANGE COUNTY HEALTH DEPARTMENT

1. NO LOT IS TO BE FURTHER SUBDIVIDED WITHOUT ORANGE COUNTY DEPARTMENT OF HEALTH REVIEW AND APPROVAL
2. THE DESIGN AND LOCATION OF SANITARY FACILITIES, (WATER AND SEWER SYSTEMS) SHALL NOT BE CHANGED
3. INDIVIDUAL WELLS SHALL NO LONGER BE CONSTRUCTED FOR HOUSEHOLD DOMESTIC PURPOSES WHEN PUBLIC

RESULTS OF P.B. MEETING OF: August 8, 2001

PROJECT: Cherry Valley Sub.

P.B.# 00-20

LEAD AGENCY:

1. AUTHORIZE COORD LETTER: Y__ N__

2. TAKE LEAD AGENCY: Y__ N__

NEGATIVE DEC:

M)___ S)___ VOTE: A__ N__

CARRIED: YES__ NO__

M)___ S)___ VOTE: A__ N__

CARRIED: YES__ NO__

WAIVE PUBLIC HEARING: M)___ S)___ VOTE: A__ N__ WAIVED: Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)___ S)___ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)___ S)___ VOTE: A__ N__ APPROVED: _____

M) B S) A VOTE: A 4 N 0 APPROVED CONDITIONALLY: 8/8/01

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Need cost estimate</u>
<u>Mark's comments</u>
<u>Correct Bulk Tables</u>
<u>Easements documents submitted</u>



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 00 20
WORK SESSION DATE: 1 AUG 01 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: new plan
PROJECT NAME: Cherry Valley
PROJECT STATUS: NEW _____ OLD _____
REPRESENTATIVE PRESENT: Mike S. / Ken G.
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Ready for final
approval

pbwsform 10MJE98

X CLOSING STATUS ASAP
Set for agenda
possible agenda item
Discussion item for agenda
ZBA referral on agenda



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: CHERRY VALLEY (LAKE RD) SUBDIVISION
PROJECT LOCATION: LAKE ROAD
SECTION 59 – BLOCK 2 – LOT 18.1 & 18.2
PROJECT NUMBER: 00-20
DATE: 8 AUGUST 2001
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE 3.94-
ACRE PARCELS INTO FIVE (5) RESIDENTIAL LOTS. THE PLAN
WAS PREVIOUSLY REVIEWED AT THE 15 NOVEMBER 2000,
13 DECEMBER 2000 AND 10 JANUARY 2001 PLANNING BOARD
MEETINGS.

1. The property is located in the R-4 Zoning District of the Town. The lots are proposed with municipal sewer and wells.

We previously requested that the Bulk Table be expanded to include values for each lot indicating compliance with the Code. This has not yet been added, and should be added to the plan submitted for stamp of approval.

2. Procedurally, this application has completed the SEQRA process and the public hearing was held. Since early this year, the applicant has been pursuing approvals from outside agencies (OCDOH, NYSDEC).

I am in receipt of copies of the approval letter for the sewer extension (NYSDEC), an Article 15 Protection of Waters permit for the stormwater discharge (NYSDEC), and Realty Subdivision approval (OCDOH). I believe these are all the approvals required.

3. The Planning Board Attorney was to review the Private Road Maintenance agreement has been received. The Board should verify that this has been approved.
4. The applicant will be required to submit a Private Road Completion Bond per the requirements of Section A60-10(A)(8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.

5. The applicant should submit the easement document with descriptions to the Town Attorney, for the sewer intended to be dedicated to the Town.
6. This application would appear ready for consideration of Conditional Final Approval.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

NJE/st

NW00-20-08Aug01.doc

AS OF: 10/02/2001

PAGE: 2

CHRONOLOGICAL JOB STATUS REPORT

JOB: 97-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 0- 20

FOR WORK DONE PRIOR TO: 10/02/2001

TASK NO	REC	DATE	TRAN	EMPI	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
0-20	185911	05/15/01			BILL 01-616					-93.50	
										-93.50	
0-20	190533	03/01/01	TIME	MJE	WS CHERRY VALLEY	85.00	0.40	34.00			
0-20	190937	03/08/01	TIME	MJE	MM Cherry V Sub APPL	85.00	0.10	8.50			
0-20	191545	03/08/01	TIME	MJE	MC CHERRY VALLEY	85.00	0.30	25.50			
0-20	192638	03/22/01	TIME	MJE	MC TC/CLEARWATER	85.00	0.30	25.50			
								93.50			
0-20	191525	03/21/01			BILL 01-792					68.00	
										-68.00	
					TASK TOTAL			784.50	0.00	759.00	25.50

GRAND TOTAL	784.50	0.00	-759.00	25.50
-------------	--------	------	---------	-------

1 1/2 closet

+ 51

835.50

TOTAL P.05

AS OF: 10/02/2001

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: P-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 0 20

FOR WORK DONE PRIOR TO: 10/02/2001

TASK NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	-----DOLLARS-----		
									EXP.	BILLED	PAID
0-20	160505	08/15/00	TIME	MJE	WS CHERRY	80.00	0.40	32.00			
0-20	160514	11/01/00	TIME	MJE	WS CHERRY VALLEY LAKE	80.00	0.40	32.00			
0-20	160524	11/09/00	TIME	MJE	MC TCS/MIS RE CHERRY	80.00	0.30	24.00			
0-20	160538	11/13/00	TIME	MJE	MC CHERRY VALLEY	80.00	0.50	40.00			
0-20	160565	11/14/00	TIME	MJE	MC CHERRY VALLEY SUB	80.00	0.20	16.00			
0-20	160541	12/13/00	TIME	MJE	MC CHERRY VAL W/KROLL	80.00	0.30	24.00			
0-20	160542	12/13/00	TIME	MJE	MC CHERRY VALLEY SUB	80.00	0.50	40.00			
0-20	160563	12/13/00	TIME	MJE	MC T/A COORD CHERRY	80.00	0.30	24.00			
								232.00			
0-20	170243	12/31/00			BILL 01-121 1/16/01					-232.00	
										-232.00	
0-20	170574	01/03/01	TIME	MJE	MC CHERRY VALLEY SUB	85.00	0.50	42.50			
0-20	171010	01/10/01	TIME	MJE	MC CHERRY VALLEY	85.00	0.50	42.50			
0-20	173400	02/08/01	TIME	MJE	MC T/CASS RE CHERRY	85.00	0.40	34.00			
								119.00			
0-20	173428	02/23/01			BILL 01-212					-85.00	
										85.00	
0-20	177060	03/07/01	TIME	MJE	MC CHERRY VALLEY APP	85.00	0.70	59.50			
0-20	177061	03/07/01	TIME	MJE	MC TCS RE CV APP	85.00	0.30	25.50			
0-20	177094	03/08/01	TIME	MJE	MC TCS RE CV APP	85.00	0.50	42.50			
0-20	177706	03/14/01	TIME	MJE	MC CHERRY DND W/CASS	85.00	0.30	25.50			
0-20	179332	03/28/01	TIME	MJE	MC CHERRY VALLEY SWR RV	85.00	0.50	42.50			
0-20	179333	03/28/01	TIME	MJE	MC C/V W/MH	85.00	0.30	25.50			
0-20	179335	03/28/01	TIME	MJE	MC C/V SOWER W/MH	85.00	0.30	25.50			
0-20	180254	04/06/01	TIME	MJE	MC T/CASS RE C/V APP	85.00	0.30	25.50			
								272.00			
0-20	179801	04/26/01			BILL 01-448					280.50	
										-280.50	
0-20	181240	05/02/01	TIME	MJE	WS CHERRY VALLEY SUB	85.00	0.40	34.00			
0-20	181820	05/11/01	TIME	MJE	MC INFO/FAX - CHERRY VL	85.00	0.40	34.00			
								68.00			

Cherry Valley Lake Road - Town of New Windsor

Private Improvement Bond Estimate

09-Aug-11
(revised 9-18-01)

Roadway Improvements:	Quantity	Unit	Price/Unit	Total	% Complete	% Remaining	\$
Clear & Grade Road ROW		SF	\$ 0.75	\$ -			
Clear & Grade Road ROW	300	LF	\$ 16.50	\$ 4,950.00	100	\$	-
Erosion Control	4	Acre	\$ 250.00	\$ 1,000.00	100	\$	-
				\$ -			
Roadway Subbase	320	CY	\$ 20.00	\$ 6,400.00	87.5%	12.5%	\$ 1066
Asphalt Pavement (2.0' top)	950	SY	\$ 3.75	\$ 3,562.50	0	\$	3,562.50
Asphalt Pavement (3.5' binder)		SY	\$ 8.75	\$ -		\$	-
Tack Coat	950	SY	\$ 0.40	\$ 380.00	0	\$	380.00
				\$ -		\$	-
Roadway ROW Topsoil & Seeding	670	SY	\$ 2.00	\$ 1,340.00	0	\$	1,340.00
Concrete Monuments		EA	\$ 125.00	\$ -		\$	-
Roadway Record Drawing		LS	\$ 3,000.00	\$ -		\$	-
Street Signs (Traffic Control)	2	EA	\$ 125.00	\$ 250.00	0	\$	250.00
Street ID Signs	1	EA	\$ 150.00	\$ 150.00	0	\$	150.00
				\$ -		\$	-
Concrete Curbing		LF	\$ 17.00	\$ -		\$	-
Concrete Sidewalk		SY	\$ 48.00	\$ -		\$	-

Drainage Improvements:

Catch Basin	3	EA	\$ 1,300.00	\$ 3,900.00	100	\$	-
Connection to existing Catch Basin		EA	\$ 1,000.00	\$ -		\$	-
Stormwater Pipe (HDPE-15")		LF	\$ 30.00	\$ -		\$	-
Stormwater Pipe (HDPE-18")	120	LF	\$ 35.00	\$ 4,200.00	100	\$	-
Stormwater Pipe (HDPE-24")	44	LF	\$ 40.00	\$ 1,760.00	100	\$	-
Stormwater Pipe (HDPE-30")		LF	\$ 50.00	\$ -		\$	-
End Sections (HDPE)	1	EA	\$ 500.00	\$ 500.00	100	\$	-
			\$ 500.00	\$ -		\$	-
Concrete Headwall		EA	\$ 5,000.00	\$ -		\$	-
Rip Rap Drainage Channel	8	LF	\$ 6.00	\$ 48.00	100	\$	-

Public Sewer

Estimated by MH&E	1	LS	\$13,320.00	95.7.100	\$	666.00
AS-BUILTS & MONUMENTS						500.00
		SUM:	\$41,780.50		\$	5,682.50

7534.50

SAY 7535.00

CHERRY VALLEY SUBDIVISION (00-20)

MR. James Clearwater appeared before the board for this proposal.

MR. PETRO: Proposed 5 lot subdivision. This application involves subdivision of the 3.9 acre parcel into 5 residential lots. This plan was previously reviewed at the 15 November, 2000 meeting. Property is located in an R-4 zone.

MR. CLEARWATER: My name is James Clearwater. I'm a land surveyor with M.J.S. Engineering. This project's been before the board for several meetings and to bring the board up to refresh our memories and any public who may be interested, it's a 4 acre parcel on Lake Road and the applicant is proposing to divide it into 5 residential lots, with a dead-end private road. We had our public hearing which was opened and closed, preliminary approval, we have DEC approval for sewer main extension, as well as storm water discharge and we have subdivision approval from the Orange County Health Department. So at this point, I think we're ready to roll.

MR. PETRO: Andy, the private road maintenance agreement has been received?

MR. KRIEGER: I don't have any recollection of that, I know I have done a couple recently.

MR. PETRO: Yes, you did, yes, we have it in the file. Mark, what do you have left on this that we need to do?

MR. EDSALL: Second paragraph of, again, all these comments are things that he'd be adding to the final plan as far as I'm concerned, it's that close, they've gotten all their approvals, we need to have the bulk table completed as we previously asked. That's the second part of comment 1. Comment 4, we just need, I believe we have the estimate and the fee was paid for inspection cause they did start some construction. I'm not sure if they paid the entire fee. In any case, we need to make sure we have the completed estimate and the review fee paid and we also need under comment 5

since there's going to be a sewer main up the road, we'll need an easement to the Town of New Windsor for access and maintenance. But as far as I understand from talking to the applicant, the entire road is going to be created as an easement. We just need the town attorney to get a copy of that document so my suggestion would be that you consider granting final approval with those conditions and payment of all outstanding fees.

MR. PETRO: We have fire approval on January 8, 2001 and highway on January 10, 2001. Any of the board members have any outstanding comments?

MR. EDSALL: SEQRA's all complete, it's been for quite a little, we just need a motion for final approval.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Cherry Valley Lake Road subdivision on Lake Road, subject to the bulk table being corrected on the plan, all fees that are due to the Town of New Windsor paid in full before the final stamp and that the easement document with the descriptions to the town attorney be completed.

MR. CLEARWATER: Got it.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

000134

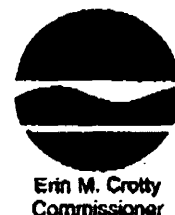
New York State Department of Environmental Conservation

Division of Water, Region 3

200 White Plains Road - 5th Floor, Tarrytown, New York 10591-5805

Phone: (914) 332-1835 • FAX: (914) 332-4670

Website: www.dec.state.ny.us



June 5, 2001

Mr. Michael J. Sandor P.E.
MJS Engineering, P.C.
261 Greenwich Ave
Goshen, NY 10924

RE: Approval of Plans and Specifications for Sanitary Sewer Extension of the Moodna Creek Development, Ltd. system, to Serve the Cherry Valley- Lake Rd. Subdivision in the Town of New Windsor, Orange County.

Dear Mr. Sandor:

This is to advise you that the plans and specifications for the above referenced project are being approved by this Department. This project consist approximately; 233 feet of 8" PVC gravity sewer main, connected through 2 manholes to existing sanitary sewer manhole as shown in the plans prepared by 'MJS Engineering, P.C., consisting of sheets 1, 2, of 2, last revised October 30, 2000.

By initiating the construction of the said project covered by the approval of the plans and specification, the applicant accepts and agrees to abide by and conform with the following:

1. This approval is issued pursuant to SPDES Permit No. NY- 0022446.
2. That this approval letter shall be maintained on the file by the applicant.
3. That the approval is revocable or subject to modification or change pursuant to Article 17 of the Environmental Conservation Law.
4. That any and all construction undertaken by the terms of the approval of plans shall be completely and wholly at the risk of the applicant.
5. That the facilities shall be fully constructed and completed in compliance with plans as approved on June 5, 2001.
6. That this office is to be notified when construction commences.
7. That the engineer will forward the results of the leakage tests of the completed work to this department.

Mr. Michael J. Sandor P.E.
MJS Engineering, P.C.

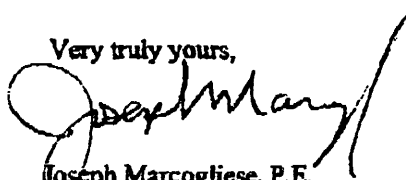
Page 2

May 31, 2001

8. That professional engineer supervising such construction shall certify to this Department in writing and to the applicant that the constructed facilities have been fully completed in accordance with the engineering report and the plans.
9. That the leakage outward or the infiltration inward of the constructed sewer line shall not exceed 200 gallons per inch of the pipe diameter per mile per day for any section of the sewer system between manholes and including manholes.
10. The approved project must be completed within five (5) years of the approval date at which time the approval will expire.

Enclosed please find one copy of the approved plans and the engineering report. Also, one copy of the approved plans is being sent to the Orange County Health Department.

Very truly yours,



Joseph Marcogliese, P.E.
Regional Water Engineer

cc: Orange County Health Department w/ Enclosure

000134

95-20-6(10/90)-25c PG

DEC PERMIT NUMBER
3-3348-00200/00001

FACILITY/PROGRAM NUMBER(s)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



PERMIT

Under the Environmental Conservation Law (ECL)

EFFECTIVE DATE
May 2 / 2001EXPIRATION DATE
September 30, 2002

TYPE OF PERMIT (Check All Applicable Boxes)

☒ New
 ☐ Removal
 ☐ Modification
 ☐ Permit to Construct
 ☐ Permit to Operate

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Article 15, Title 5:
Protection of Waters | <input type="checkbox"/> Article 17, Titles 7, 8:
SPDES | <input type="checkbox"/> Article 27, Title 9; GNYCRR 373:
Hazardous Waste Management |
| <input type="checkbox"/> Article 16, Title 15:
Water Supply | <input type="checkbox"/> Article 19:
Air Pollution Control | <input type="checkbox"/> Article 34:
Coastal Erosion Management |
| <input type="checkbox"/> Article 16, Title 16:
Water Transport | <input type="checkbox"/> Article 23, Title 27:
Mined Land Reclamation | <input type="checkbox"/> Article 36:
Floodplain Management |
| <input type="checkbox"/> Article 15, Title 15:
Long Island Wells | <input type="checkbox"/> Article 24:
Freshwater Wetlands | <input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37:
GNYCRR 380: Radiation Control |
| <input type="checkbox"/> Article 15, Title 27:
Wild, Scenic & Recreational Rivers | <input type="checkbox"/> Article 25:
Tidal Wetlands | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> GNYCRR 60B:
Water Quality Certification | <input type="checkbox"/> Article 27, Title 7; GNYCRR 360:
Solid Waste Management | |

PERMIT ISSUED TO Vincent Dejana		TELEPHONE NUMBER (516) 292-6000	
ADDRESS OF PERMITTEE 68 Carlton Avenue, Port Washington, NY 11050			
CONTACT PERSON FOR PERMITTED WORK		TELEPHONE NUMBER	
NAME AND ADDRESS OF PROJECT/FACILITY Cherry Valley - Lake Road Subdivision			
LOCATION OF PROJECT/FACILITY West side of Lake Road, just south of Hillcrest Drive - Beaver Dam Lake			
COUNTY Orange	TOWN New Windsor	WATERCOURSE/WETLAND NO. H-89-12-P234	NYTM COORDINATES E: N: 4
DESCRIPTION OF AUTHORIZED ACTIVITY Construction of stormwater outfall to lake serving five lot subdivision.			

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR Alexander F. Ciesluk, Jr.	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561		or DGG
AUTHORIZED SIGNATURE <i>Alexander F. Ciesluk, Jr.</i>	Date 5/21/01	Page 1 of 4	

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS**General Condition 1: Facility Inspection by the Department**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

General Condition 3: Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least

- a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
- b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 3

21 South Putt Corners Road, New Paltz, NY 12561, telephone: (845) 256-3054

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

Formal/General vepd

DEC PERMIT NUMBER
3-3348-00200/00001

PAGE 2 OF 4

ADDITIONAL GENERAL CONDITIONS FOR ARTICLES 15 (TITLE 5), 24,25,34,36 AND 6NYCRR PART 608 Protection of Waters

1. If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
2. The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
3. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.
4. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
5. Any material dredged in the conduct of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.
6. There shall be no unreasonable interference with navigation by the work herein authorized.
7. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
8. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.
9. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.
Such approved plans were prepared by See Special Condition 1 on

SPECIAL CONDITIONS

- ◆ The permittee or a representative shall contact by telephone, the Division of Law Enforcement in New Paltz (845) 256-3013, 48 hours prior to the commencement of any portion of the project authorized herein.
- ◆ The permittee shall require that any contractor, project engineer, or other person responsible for the overall supervision of this project reads, understands and complies with this permit, including all special conditions to prevent environmental degradation.
- ◆ For Article 15, Protection of Waters permits, the permittee or an authorized representative shall notify the Department by mailing the attached form at least 48 hours prior to the commencement of any portion of the project authorized herein.

Continued on next page...

DEC PERMIT NUMBER

3-3348-00200/00001

PROGRAM/FACILITY NUMBER

PAGE 3 OF 4

SS-20-6F(7/87)-25CR3

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPECIAL CONDITIONS**For Article 15 (Protection of Waters)**

1. The authorized stormwater outfall shall be constructed in accordance with Drawings C-1, Subdivision Plan, dated August 1, 2000 (last revised February 9, 2001) and C-2, Details, dated October 30, 2000 (last revised April 18, 2001) as prepared by MJS Engineering.
2. During construction, no wet or fresh concrete or leachate shall be allowed to escape into the waters of New York State, nor shall washings from Redi-Mix trucks, mixers or other devices be allowed to enter any wetland or waters.
3. Any debris or excess materials from construction of this project shall be immediately and completely removed from the bed and banks of all water areas to an appropriate upland area for disposal.
4. All areas of soil disturbance resulting from this project (above the mean high water line) shall be seeded with an appropriate perennial grass seed and mulched with hay or straw within one week of final grading. Mulch shall be maintained until a suitable vegetative cover is established.
5. If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

STATE ENVIRONMENTAL QUALITY REVIEW

Under the State Environmental Quality Review Act (SEQRA), the project associated with this permit is classified as an Unlisted Action with the Town of New Windsor Planning Board designated as the lead agency. It has been determined that the project will not have a significant effect on the environment.

Distribution:

J. Isaacs

J. Marcogliese

~~J. Clearwater~~ MJS Engineering

USACOE

DEC PERMIT NUMBER

3-33448-00200/00001

FACILITY ID NUMBER

PROGRAM NUMBER

Page 4 of 4

CHERRY VALLEY BUILDERS, INC.
110 Cherry Valley Road
West Hempstead, NY 11552
December 20, 2000

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, NY 12553

Re: 5 lot subdivision
Cherry Valley Builders, Inc.
Next on agenda: 1/10/01

Dear Sirs:

I am providing you with two signed and notarized copies of a Private Road Declaration, approved by your attorney Andrew Krieger.

I recognize that when I receive subdivision approval, it is my obligation to file this document for recording with the County Clerk of Orange County, together with any other documents required to effect the recording and to pay the recording fee.

If I fail to do so, I recognize that any certificates of occupancy I might receive for this property will be subject to a violation.

Very truly yours,

CHERRY VALLEY BUILDERS, INC.

BY: 
VINCENT DEJANA, PRESIDENT

PES/w

Approved by A. Krieger

Executed Copy

DECLARATION OF PRIVATE ROAD

Declaration made this 18 day of December, 2000 by CHERRY VALLEY BUILDERS, INC., a New York corporation with principal place of business at 110 Cherry Valley Avenue, West Hempstead, New York 11552, hereinafter called "DEVELOPER".

W I T N E S S E T H:

WHEREAS the Developer is the owner of property described in a Subdivision Map entitled "Subdivision Map for Cherry Valley Estates", a five lot subdivision of single family residential houses; and

WHEREAS the Developer wishes to provide a private road for ingress and egress for such houses to the nearest public highway, and such private road is more fully described on Schedule A annexed hereto and made a part hereof; and

WHEREAS the Developer has deemed it desirable for the orderly maintenance and preservation of such road that each of the five residential houses in this subdivision share responsibility for the maintenance and upkeep of such road;

NOW THEREFORE the Developer, for itself, its successors and assigns declares that the real property described in Schedule A and more commonly referred to as Amelia Court, shall be designated as a private road for the use and benefit of the homeowners of this subdivision subject to the following:

1. The owners of each of the five subdivision lots and their heirs, successors, distributees and assigns shall have joint, equal and mutual rights to use said private road for all ordinary purposes of ingress and egress of pleasure and other vehicles over the same for their mutual convenience and benefit forever, or until the road which is the subject of this Agreement becomes a public highway by act of the appropriate municipal authorities,

or by act of law; and such easement and ownership shall be appurtenant to and shall pass with the title to every home.

2. Each owner of a subdivision lot will be a the owner of a portion of the land comprising such private road, and that such interest in the private road is not severable from the ownership in each lot and that any conveyance of a lot must also convey the ownership interest in and easement over the private road.

3. Each lot owner in this five lot subdivision shall be responsible for one fifth of the cost of snow clearance, road maintenance, repair, and any other expense incurred for such road, as hereinafter defined.

4. No owner shall ever obstruct such road in any manner but shall cooperate in keeping said road open for the use of all parties interested therein.

5. For the purposes of the orderly maintenance of said road, the owners of the five parcels shall on September 1st of each year elect a chairman from among the owners who will serve until his/her successor is duly elected. The chairman's duties will include collecting a proportionate share of the expenses of maintaining the road from each owner and paying for those items of road maintenance that are deemed necessary by a majority of the owners of the five lots. The owners of each lot shall be entitled to a single vote for the office of chairman and for any items related to the maintenance of the road.

6. The words "maintenance" and "repair" as used in this Declaration shall be defined as all costs and expenses in connection with said private roadway including the cost of snow removal, the application of sand when snow or ice conditions prevail, the sweeping, cleaning of litter, trimming shrubs and trees within the right of way, surfacing and re-surfacing, gravelling, re-gravelling, filling in of holes, and all those items necessary so as to make it convenient and safe for the owners of the

aforesaid lots to use said private roadway and maintain roadway in passable condition.

7. All lot owners agree that the roadway shall always be maintained so as to be passable by ordinary passenger vehicles and this shall include prompt repair of "potholes" or other defects in the roadway which cause said roadway to fail to meet that standard or cause said roadway to become otherwise substandard.

8. Unless otherwise agreed to by the lot owners, it is hereby declared as a minimum standard that in the event the accumulation of snow exceeds three inches as the average depth, the chairman is authorized to engage a contractor to remove the snow from the private roadway and/or apply sand and salt to the roadway without notice to the other lot owners.

9. In the event any lot owner fails to forward its share of expenses within seven days of the notification of the charges and excess charges, if any, the chairman shall have the right to forward the entire invoice amount to the contractor. In this event the chairman, having duly paid both his one fifth share and the share of the defaulting owner of any lot shall be deemed a "contractor" pursuant to Section 2 of the New York State Lien Law. The owner of any such lot having failed to pay his one fifth share shall subject his real property to the lien of the chairman. The chairman may also commence an action against the defaulting lot owner in a court of appropriate jurisdiction to recover the unpaid monies. In any action commenced against the defaulting owner of any lot, there shall be a presumption that the maintenance or repair work for which monies are owing was validly authorized and competently performed by the contractor. The defaulting owner of any lot is liable for all costs and expenses including, but not limited to reasonable attorney's fees which are incurred by the chairman in recovering said defaulting lot owner's unpaid share. In addition, if the chairman is required to appear in court in connection with the recovery of the unpaid monies

owed by the defaulting owner of any lot, he shall be compensated by the defaulting lot owner in the amount of Fifty (\$50.00) Dollars for each court appearance. If the defaulting party is the chairman, then the owners of the other lots shall have all of the same rights and remedies as set forth herein against him.

10. Upon receipt to a deed for a subdivision lot, or any portion thereof, each lot owner using this roadway for access to his property shall immediately become liable for its one fifth share of the roadway maintenance and plowing obligations pursuant to this Declaration.

11. This agreement is binding upon the heirs, distributes, successors or assigns of any of the owners of the lots on Amelia Court.

IN WITNESS WHEREOF, the grantor has hereunto set his hands on the date first above written.

CHERRY VALLEY BUILDERS, INC.

BY:


VINCENT DEJANA, PRESIDENT

**SCHEDULE A
AMELIA COURT RIGHT-OF-WAY**

BEGINNING in the north westerly right-of-way line of Lake Road, where the same is intersected by the southwesterly right-of-way line of the herein described road. All as shown on a certain map entitled "Cherry Valley" filed in the Orange County Clerk's Office on _____ as map no. _____. Said point being referenced the following two courses along Lake Road from the northeasterly corner of lands now or formerly of Decker as described in Liber 3662, page 21:

- A. North 41°30'00" East, 18.77 feet along said line of Lake Road, thence;
- B. North 38°56'00" East, 80.17 feet along the same to the **Point of Beginning** and running, thence;
- 1. North 27°42'53" West, 47.54 feet along the said southwesterly line of Amelia Court, thence;
- 2. North 50°03'40" West, 28.47 feet along the same to a point of curvature, thence;
- 3. Northwesterly on a curve to the left having a radius of 175.00 feet an arc distance of 54.92 feet along the same to a point of compound curvature, thence;
- 4. Southwesterly on a curve to the left having a radius of 25.00 feet an arc distance of 33.03 feet along the same to a point of reverse curvature, thence;
- 5. Westerly, Northerly and Easterly on a curve to the right having a radius of 20.00 feet an arc distance of 218.09 feet, forming the cul-de-sac at the terminus of Amelia Court, to a point of tangency, thence;
- 6. South 73°49'17" East, 55.33 feet along the northerly line of Amelia Court to a point of curvature, thence;
- 7. Southeasterly on a curve to the right having a radius of 225.00 feet an arc distance of 93.31 feet along the same to a point of tangency, thence;
- 8. South 50°03'40" East, 51.37 feet along the same to a point of curvature, thence;
- 9. Easterly on a curve to the left having a radius of 25.00 feet an arc distance of 34.64 feet along the same to the said northwesterly right-of-way line of Lake Road, thence;
- 10. Southwesterly on a curve to the left having a radius of 246.50 feet (a line from the radius point to the beginning of this curve bears North 39°26'58" West) an arc distance of 49.98 feet along said right-of-way line of Lake Road to a point of tangency, thence;
- 11. South 38°56'00" West, 38.75 feet along the same to the **point of beginning**.

Containing 16,976 square feet or 0.3897 acre

STATE OF NEW YORK:

:SS.:

COUNTY OF NASSAU :

On the 18th day of DECEMBER, 2001 before me, the undersigned, a Notary Public in and for said State, personally appeared VINCENT DEJAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Kimberly S. Mayer
NOTARY PUBLIC - STATE OF NEW YORK

KIMBERLY S. MAYER
Notary Public, State of New York
No. 01MA5058243
Qualified in Nassau County
Commission Expires 7-1-02



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

□ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(845) 562-8640
e-mail: mheny@att.net

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

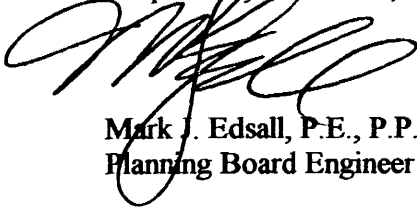
PROJECT NAME: CHERRY VALLEY (LAKE RD) SUBDIVISION
PROJECT LOCATION: LAKE ROAD
SECTION 59 – BLOCK 2 – LOT 18.1 & 18.2
PROJECT NUMBER: 00-20
DATE: 10 JANUARY 2001
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION
OF THE 3.94-ACRE PARCELS INTO FIVE (5)
RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 15 NOVEMBER 2000 PLANNING
BOARD MEETING. THE PUBLIC HEARING OPENED
AT THE DECEMBER MEETING IS BEING
CONTINUED AT THIS MEETING.

1. The property is located in the R-4 Zoning District of the Town. The lots are proposed with municipal sewer and wells. The Bulk information on the plan appears correct for the zone and use group.
2. The applicant's engineer has submitted revised plans to address the comments made by our office, the Highway Superintendent and the Planning Board. Since this is a continuation of a public hearing, *I suggest both the old plan submitted in December and this new plan be displayed at this public hearing continuation.*
3. I have reviewed the new plan and have the following comments:
 - a. The information on the plan verifies compliance of each lot for area and lot width.
 - b. As previously noted, the applicant will need to arrange a sewer reallocation for the project.
 - c. A 10 ft. clearing buffer is now shown on the perimeter of the property. Note 6 is provided in this regard. The board should discuss, with the

Planning Board Attorney, whether the note should be more explicit as to what is permitted and not permitted to occur in this buffer. Further, will this restriction be included in the deeds of record?

- d. I understand that a draft copy of the Private Road Maintenance agreement was previously submitted to the Planning Board Attorney. The status should be discussed.
 - e. The plans note that revisions have been made to comply with the Highway Superintendent's requirements. I have not spoke with Mr. Kroll regarding the application; a copy of his approval should be on file prior to preliminary approval action (or be conditioned on it).
- 4. The application will require the review and approval of both the NYSDEC and OCDOH. A referral can be made once preliminary approval has been made. The applicant should coordinate application signatures from the Town with the undersigned, once complete applications are prepared.
 - 5. A Lead Agency coordination letter was circulated and the 30-day period has expired. Action to assume Lead Agency can be considered, as well as a determination of significance.
 - 6. If any additional concerns are identified as part of this Public Hearing continuation, I will be pleased to review same, as deemed appropriate by the Planning Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW00-20-10.Jan01.doc

Public Hearing - Continuation
RESULTS OF P.B. MEETING OF: *January 10, 2001*

PROJECT: *Cherry Valley Sub.* **P.B.#** *00-20*

LEAD AGENCY: *30 days have passed*

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y__ N__

M) *LN* S) *A* VOTE: A *5* N *0*

2. **TAKE LEAD AGENCY:** Y ☒ N__

CARRIED: YES ☒ NO__

M) *LN* S) *A* VOTE: A *5* N *0*

CARRIED: YES ☒ NO__

Closed

WAVE PUBLIC HEARING:

M) *A* S) *LN* VOTE: A *5* N *0*

Closed

WAVED: Y ☒ N__

Closed

SCHEDULE P.H. Y ☒ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

Preliminary
APPROVAL:

M) *LN* S) *A* VOTE: A *5* N *0* *PRELIM* APPROVED: *1-10-01*

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<i>No attendance for second half of P.H.</i>
<i>Note re: Buffer Zone should say (10' Buffer to remain)</i>

ERWIN O. SCHELHAMMER

WINDSOR HILLS

SALISBURY MILLS, NEW YORK 12577

— 211 Lake Rd

1/21/01
Mr. James R. Petro, Jr. Chairman

Dear Mr. Petro,

This is in reference to two to three
trees which I would like you to save
on Section 59, Block 2, Lot 18.1-18.2

I'm sorry I was out of town when
your board met with some of my
neighbors and where this matter came
up.

Having spoken to Mr. Ken Bass some
months ago he volunteered that he would
save some large trees on the property but
now I see that three of the largest have
red ribbons on them, a sign usually for
the ultimate removal of such trees.

Please look into this & try & save these
trees which are on the outermost edge
of the property and are healthy & an
attraction in our fast disappearing
environment

Respectfully yours

Erwin O. Schelhammer

P.S. my property abuts
the property in question

RECEIVED

JAN 24 2001

PUBLIC HEARINGS:

CHERRY VALLEY SUBDIVISION - LAKE ROAD

Mr. Michael Sandor appeared before the board for this proposal.

MR. PETRO: This is a subdivision into five residential lots. The plan was previously reviewed at the 15 November, 2000 planning board meeting, permitted use in the R-4 zone and the lots are proposed with municipal sewer and wells. Okay.

MR. SANDOR: Good evening, my name is Michael Sandor representing MJS Engineering. This is a five lot subdivision located along Lake Road in the Town of New Windsor. The overall property is delineated at this line and consists of--

MR. BABCOCK: 3.94.

MR. SANDOR: --3.94, all the lots are conforming to the Town of New Windsor zoning and it is proposed that they would front onto a private drive, that drive is known as Amelia Court which is constructed from municipal specifications. The lots will be served by municipal sanitary sewer which is presently located in the street and there will be an extension of the sanitary sewer up onto the cul-de-sac street, which will be supplied by individual wells. There's some frontage of the lots of the subdivision out onto Beaver Dam Lake, two of the lots will have frontage directly onto Beaver Dam Lake and there has been a reserve portion on the southern portion of the property for access of the other three lots. Storm water will be conveyed via conduits across Lake Road into Beaver Dam Lake, storm water quality will be enhanced by the proposed grassed swales around the proposed subdivision street and there will be a hooded outlet at the last catch basin. We received some correspondence just a few hours ago from the highway superintendent that an additional catch basin or catch basins be added along Lake Road and that can be easily accommodated to the plan.

MR. PETRO: The private road maintenance agreement has

been received, Andy, you have anything to mention about that?

MR. KRIEGER: Yeah, only that I have, it's, I have been working with the applicant's attorney, we've got a private road maintenance declaration in proper form, I will notify her that she should have it executed, provided and executed copy will go in the Planning Board's file with a commitment on the part of the applicant that as soon as the map is filed cause they need that to fill in the declaration, the declaration will be filed or filed simultaneously therewith but the form is acceptable, I have done considerable work back and forth with the attorney.

MR. PETRO: Just give me a yes or no answer, okay, I don't mean that to be rude, just want a yes or no answer. We haven't heard back and the 30 day period has not expired, is it legal to have a public hearing before we declare ourselves lead agency?

MR. KRIEGER: Is it legal to have a public hearing, yes, it's legal to have a public hearing.

MR. PETRO: Prior to being lead agency?

MR. KRIEGER: What's not legal is closing the public hearing, it's legal to open it and have it, it's not legal to close it until the 30 days has expired.

MR. PETRO: Okay.

MR. EDSALL: The next meeting I believe the 30 days would be up anyway.

MR. PETRO: But we're going to have to table the public hearing, we'll have it, we won't close it but we're going to have to circulate letters again that it's a continuation of the public hearing, do you understand what I mean?

MS. MASON: Yes.

MR. PETRO: Any problem with that, Andy?

MR. KRIEGER: As long as you don't close it before the 30 days.

MR. LANDER: Send out notices again that it hasn't been or that the public hearing is continued?

MR. EDSALL: No.

MR. KRIEGER: No.

MR. PETRO: We can just close it at the next meeting.

MR. KRIEGER: Yes, provided you don't close it at this meeting, you're okay.

MR. PETRO: Okay.

MR. LANDER: We do have something from the highway department?

MR. SANDOR: Yes, I received something two hours ago.

MR. LANDER: Do we have anything?

MR. PETRO: Yes, it's everything he mentioned he's going to have to get them clarified because there's too many things, he'll have to work them up by the next time we have a meeting, I'm sure we'll have Mr. Kroll will have here approved instead of disapproved. We do have a fire approval on 12/22/2000. Any of the members want to say anything before the public hearing is opened? If not, I'll entertain a motion to open the public hearing.

MR. LANDER: So moved.

MR. ARGENIO: So moved.

MR. PETRO: Motion has been made and seconded to open the public hearing. On November 27, 2000, 19 addressed envelopes containing attached notices of public hearing were mailed. At this time, I'll open it to the public for anybody who would like to speak on behalf of the application, please state your name, address, come forward, anybody who would like to speak on behalf of

this application?

MS. LASORO: Doreen Lasoro, 9 Hillcrest Drive, we're kind of behind this property, this would be in our back yard, I was just wondering how far back they were going to come to?

MR. BABCOCK: I don't think it's in your back yard.

MS. LASORO: There's a natural barrier there, I don't know if that's going to be taken down.

MR. BABCOCK: Did you see the map where you are?

MS. LASORO: I'd like to see it, if possible.

MR. BABCOCK: This is Lake Road coming in, this is the big hill, you go along the lake and it's right here.

MR. PETRO: We need to have one person talk because we need to record it and we can't do four conversations at once.

MS. LASORO: I think he answered my questions.

MR. GASS: I'm Ken Gass, I'm the owner of Cherry Valley Builders, some of the questions were just asked of me were about the natural barriers from one piece of property to the other and it's our desire to leave as many of the mature trees as possible, doesn't affect the road or the buildings. Plus, along the property line along the back where the adjacent property is, we want to leave approximately ten feet of natural barrier just the way it is, so it doesn't disturb the other homes, we want the subdivision to fit into the homes and to the area, not make it look like it's brand new there and somebody just plopped it in, stripped all the land.

MR. PETRO: Thank you.

MS. LASORO: Thank you.

MS. MORAN: Maureen Moran, I live at 13 Hillcrest, I'm off the back of the property, it's not going to--

MR. BABCOCK: Here's lot 2 and lot 3.

MS. MORAN: Here I am, here's my well in the back of my property, okay, that's all, that was my big concern.

MR. PETRO: You should be aware the secretary makes a good point, once they sell the houses, the builder, once the new owner goes into the home, they make go back and clear some of that out, he's leaving ten feet, the new owner might not like that, we don't have control.

MR. BABCOCK: Maybe we can put it on the plan and put it in a deed restriction, if the developer's willing to do it this way, it goes on forever.

MR. LANDER: Can you leave a buffer zone?

MR. GASS: I have no problem with it.

MR. PETRO: Add that to a note to leave a ten foot buffer zone as part of the application.

MS. LASORO: Thank you for bringing that point up.

MR. PETRO: Anybody else like to speak?

MR. DECKER: Decker, 191 Lake Road, I'm on the left side, all around, is that what you're talking about here?

MR. GASS: On this end there's very little of the mature trees, that's a lot of bamboo, I have to take that out, unfortunately.

MR. DECKER: Good luck.

MR. GASS: If there's any trees in this area, we'd be more than happy to leave them, there's a lot of natural trees along the road, if it doesn't affect sight, they'll also stay.

MR. PETRO: Anyone else? Motion to close the public hearing?

MR. BRESNAN: So moved.

MR. ARGENIO: Make a motion to table the public hearing until the next meeting.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded the New Windsor Planning Board table the public hearing until the next meeting. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Back to the board members.

MR. LANDER: Stone wall that runs across the front of this property, we're going to maintain those stone walls, I know we have to make an opening for the record but we'll leave the stone walls there.

MR. SANDOR: By all means.

MR. GASS: Yes.

MR. LANDER: The existing dirt driveway we're going to remove that on lot 5, there's no other breaks in the stone wall, right?

MR. SANDOR: That was part of an old house that was back in there, a business.

MR. PETRO: We have to hear back, 30 day period has to expire which will happen naturally by the next meeting, I want you to get everything cleared up with the highway superintendent so we don't have this little five or six items on my sheet here with a disapproval. Thirdly, once we get preliminary approval, it will go

through New York State DEC, I think that's it. Any other comments? Mark may have them but I think they're pretty well--

MR. EDSALL: No, you've covered them.

MR. SANDOR: I have a question regarding when would the date be for the meeting, the continuation of this meeting?

MS. MASON: January 10th.

MR. SANDOR: You said you have a list of a few items, I have 2 items from the Superintendent of Highways in his memorandum dated the 13th of December.

MR. PETRO: Drainage problems, additional catch basins must be installed along the shoulder of Lake Road and Amelia Court, in addition, pipe size in the development must be upgraded to 18 inch and crossing of the road should be 24 inch, sight distance is an additional problem, brush needs to be cleaned.

MR. BABCOCK: I can make a copy of that.

MR. SANDOR: I have it, it's all in this letter.

MR. PETRO: So three items, right?

MR. SANDOR: Yeah, he had them down as two but includes all the items.

MR. PETRO: So we have the same information.

MR. KRIEGER: Where is the ten foot buffer zone supposed to be?

MR. SANDOR: On the north property line.

MR. KRIEGER: Thank you.

MR. PETRO: Any other comments tonight?

MR. DECKER: He was talking about the buffer zone on the north, I thought he said around the whole

perimeter.

MR. PETRO: Mr. Decker is down here and he said he was going to clear most of it but if there's any trees, he would leave them, that was his exact wording.

MR. GASS: Correct.

MR. DECKER: Like buffer zone.

MR. GASS: Well, the south end has very little buffer zone here, the whole north end we'll leave, okay, that's where everybody seems to have a concern, this is such a grade elevation, I don't think the people on this street here would care if you took trees down or not.

MR. PETRO: Basically, it's just the north and as I said, Mr. Decker, he mentioned to leave whatever he could there but I don't, it would be very difficult I think to enforce a ten foot, there's nothing there to start with and that one house looks like on lot number 5 is pretty close to the property line to start with, I don't know what ten foot would do.

MR. SANDOR: Distance shown there is 40 feet.

MR. PETRO: How much is it?

MR. SANDOR: Forty feet.

MR. PETRO: It's only a buffer zone anyway, just have him have the note say perimeter of the property, it's not going to change anything.

MR. GASS: It's got a lot of bamboo at the, along five.

MR. PETRO: You already stated that you're going to remove that, he's aware of it, I don't think that's what he's talking about.

MR. GASS: If you leave one next year, you'll have 50 of them.

MR. PETRO: Any natural trees, anything of value you'd

leave but the bamboo you're not talking about that I'm sure.

MR. DECKER: I've tried to get rid of it.

MR. PETRO: Just make it the perimeter of the property, we all understand what you're saying.

MR. LANDER: Also on lot 4, we have old well pumphouse foundation that's going to be removed?

MR. SANDOR: That's going to be removed. We also added a note on that, how that should be abandoned, there's a certain requirement by the health department.

MR. LANDER: Building ruins will be gone?

MR. SANDOR: Right.

MR. EDSALL: He's talking about on lot 4 and 5, there's some ruins of structures.

MR. SANDOR: That all has to come out, yeah, it's shown to be removed, obviously, that's going to come out.

MR. PETRO: Thank you.

MR. GASS: I just have one question at this time, we'd like to know if we can start clearing out some of the underbrush and bamboo and some of the saplings if the Town doesn't mind at this time, you know with the frozen ground.

MR. KRIEGER: It isn't yet, it will be by next time.

MR. ARGENIO: Trust me, it's frozen, trust me.

MR. KRIEGER: I do.

MR. PETRO: I don't see a problem with it myself, no excavating, just clear a little brush.

MR. GASS: Clear out the brush, we're not going to cut the road or anything like that but try to get some of the stuff out of there.

MR. PETRO: Anybody have an objection to that?

MR. EDSALL: I don't have an objection but I think if you're going to be doing any disturbance, you should probably stake some hay bales being that you're so close to the lake, I don't think silt fence will work because you can't set it into the ground because it's frozen as Mr. Argenio said.

MR. GASS: The thing about this stone wall, most of it really I think the only protection they'll need is along this dirt road.

MR. EDSALL: Even set hay bales behind the stone wall so you don't get siltation back into the wall.

MR. GASS: Okay.

MR. PETRO: Okay, Mike, I don't think we need a motion, Mike, you don't have a problem?

MR. BABCOCK: Not at all.

MR. PETRO: You have direction then.

MR. GASS: Thank you.

CHERRY VALLEY - LAKE ROAD SUBDIVISION (00-20)

Mr. Michael Sandor appeared before the board for this proposal.

MR. PETRO: Proposal is for five residential building lots.

MR. SANDOR: My name is Michael Sandor with MJS Engineering and I'm with the contractor and purchaser.

MR. SANDOR: They are under contract for this property. We submitted all the necessary paperwork to show that, we have been at two work sessions regarding this property. The plan in front of you is basically a preliminary plan based on your code. We also have a draft of the sewer agreement because this property requires the purchase of sewer rights for the property. At the last meeting, the last work session, it was decided that four units of sewage would be required. This property is actually two pieces of property, a small piece here and also a larger piece. This would be a private road built to your municipal specifications. The extension of the sewer would be from the existing manhole here at the intersection up on to the property, okay. These 2 lots would also have some frontage out onto Beaver Dam Lake and we have retained an easement area for lake rights for the other homes because it's on Beaver Dam Lake, we felt that the access to the lake would be very nice. We have shown profiles, a legend, all the lots are conforming to the code, and we're here for questions.

MR. PETRO: Mark, why don't you go over a couple of your notes?

MR. LANDER: Just one thing before you get going, Mark, the lake is right across the street here, did you know there is no other residences on I guess the east side?

MR. BABCOCK: It's very short right there, Ron, on the east side of Lake Road, there's very little land that you can see there then it's the lake.

MR. LANDER: Right, is that some of the residences can

go down or they can use that beach that's right there, there's a gate?

MR. BABCOCK: Well the beach is actually south of this property is the beach.

MR. EDSALL: Just for the record, these comments I have gone over with the applicant, they are aware of some of these minor corrections that need to be made but they wanted to get the process started. I just had a couple comments that we need to obviously follow through on the sewer reallocation, which Mike indicated they have started that process. 2B just noting that we have to have a change in the catch basin to provide a sump and in conjunction with that comment 2C is just noting that we should address in that sump some manner for water quality so if there is any spill, it tends to separate that and not allow it to go over to the lake. Comment 2D noting that the old stone well shown on lot 2 needs to be properly abandoned. 2E just noting that we should make it clear so that no one misunderstands that Amelia Court is proposed as a private road, Mike's correct, they have made that clear and they do show a private road detail on sheet 2, but in case the drawings get separated, first sheet can call it out as a private road also which Mike can verify as to whether or not they have identified any wetlands on the site.

MR. SANDOR: Yeah, no wetlands.

MR. PETRO: Mark, just educational purposes, if lot number 1 and 5 driveways came out onto Lake Road, wouldn't this then become a minor subdivision?

MR. EDSALL: No, it's the number of lots and I'm glad that you brought up that point, normally, it's the board's policy that they'd prohibit the front two lots from accessing directly onto the town road, I'd assume you'd want that to limit the number of curb cuts, I'm sure if you don't want it, the highway superintendent will probably mention it.

MR. BABCOCK: One of the rules you can only have 4 lots on a private road but you can have 6 if two of them have road frontage on the Town road, that's why he's

entitled to five here.

MR. EDSALL: Last but not least just an addition in addition to the note that would restrict access for lots 1 and 5 only to the private road for the driveways we have talked and you'll notice on the plan that the small slivers that are along the lake are joined with their respective building lot next door, we should really get a note and Andy could tell us what form if it's a deed restriction to make sure that the little slivers cannot be sold separately, they have to stay with the residential lot, so we wouldn't have any potential for creating a non-conforming lot in the future, but other than that, they have gotten everything I asked for on the plans. I will provide them with these comments so they can add these couple items. I believe that they are ready if they make these changes for you to authorize a public hearing they do need a public hearing because it's five lots and according to code, it's a mandatory public hearing.

MR. PETRO: Motion to authorize lead agency coordination letter.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter for the Cherry Valley subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Also at a motion to authorize a public hearing.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Cherry Valley subdivision on Lake Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Highway approval on 11/15/00 and if you get the plan cleaned up according to Mark's comments and other comments you have heard here tonight, we'll be all set for the public hearing. We'll review it further at that time, correct?

MR. KRIEGER: Yes, please. I was going to say for the applicant's information, it will be necessary before a plan can be stamped if a plan ultimately is approved by this board that a private road maintenance declaration in a form acceptable to me has to be recorded first since there's a considerable delay in doing that, the applicant might be best advised to be given that preparation now, I don't want this to be first mentioned with their approval and then everybody go it's a big surprise, it takes some time and it's appropriate to start now.

MR. SANDOR: I will have our attorney talk to you.

MR. PETRO: I said highway approval, I meant it's fire approval on 11/15/2000, we have not heard back from highway yet.

MR. LANDER: Nothing.

MR. ARGENIO: I have one question. Who owns the road?

MR. SANDOR: There's a lot line right in the road, the private road, there's a lot line going around the road indicating it's another lot.

MR. SANDOR: Well, we showed that as this area within the road here would be part of the open area, I mean, part of the, I mean, do you want us to put the lot lines down the middle of the road?

MR. ARGENIO: I asked who owns the road cause there's a lot line going all the way around the road indicating it's another lot.

MR. EDSALL: You're correct, Mr. Argenio, the normal way this board wants it is that each lot effectively owns a piece of the road so it goes to the center of the road.

MR. SANDOR: This is like an easement then.

MR. EDSALL: Yes.

MR. ARGENIO: So their properties would extend to the center line of the road. I didn't do mine like that but--for a reason.

MR. SANDOR: Good point.

MR. PETRO: Okay, we'll see you at the next meeting.

MR. SANDOR: Just the notices for the public hearing should I--

MS. MASON: If you could just give me a call in the morning, I'll explain everything to you.

MR. SANDOR: All right.

MR. EDSALL: Mike, if you could set up a workshop with Myra, what we'll do is check the list with you, make sure everything's there, we'll get it all out of the way and get you in for the public hearing a hundred percent up to snuff.

November 1 2000

16

MR. SANDOR: That's great. Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

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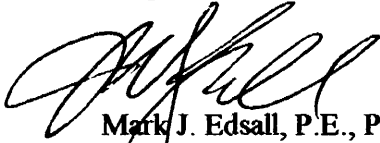
☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
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e-mail: mhpa@ptd.net

PROJECT NAME: CHERRY VALLEY (LAKE RD) SUBDIVISION
PROJECT LOCATION: LAKE ROAD
SECTION 59 – BLOCK 2 – LOT 18.1 & 18.2
PROJECT NUMBER: 00-20
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REVIEWED AT THE 15 NOVEMBER 2000 PLANNING
BOARD MEETING. THE APPLICATION IS BEFORE
THE BOARD FOR A PUBLIC HEARING AT THIS
MEETING.

1. The property is located in the R-4 Zoning District of the Town. The lots are proposed with municipal sewer and wells. The Bulk information on the plan appears correct for the zone and use group. I previously requested that the table should be expanded to include value indicating compliance for each of the 5 lots. This has not yet been added.
2. I have reviewed the revised plan submitted for this meeting, and have the following comments:
 - a. As previously noted, the applicant will need to arrange a sewer reallocation for the project.
 - b. The property lines have been clarified and each lot now owns to the center of the private road, as per the direction of the planning board.
 - c. I understand that a draft copy of the Private Road Maintenance agreement has been received. The status should be discussed with the planning board attorney.

3. The Highway Superintendent has noted concerns regarding existing drainage in the area, and sight distance. I suggest a field review with Mr. Kroll is appropriate. As well, the applicant's engineer should measure the sight distance and indicate same on the plan.
4. The application will require the review and approval of both the NYSDEC and OCDOH. A referral can be made once preliminary approval has been made. The applicant should coordinate application signatures from the Town with the undersigned, once complete applications are prepared.
5. The Planning Board authorized a Lead Agency coordination letter. This letter was circulated. The 30-day period has not expired. Action to assume Lead Agency can not occur until the next meeting.
6. If any additional concerns are identified as part of the Public Hearing, I will be pleased to review same, as deemed appropriate by the Planning Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW00-20-13Dec00.doc



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@ptd.net

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CHERRY VALLEY (LAKE RD) SUBDIVISION
PROJECT LOCATION: LAKE ROAD
SECTION 59 – BLOCK 2 – LOT 18.1 & 18.2
PROJECT NUMBER: 00-20
DATE: 15 NOVEMBER 2000
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION
OF THE 3.94-ACRE PARCELS INTO FIVE (5)
RESIDENTIAL LOTS. THE PLAN WAS REVIEWED
ON A CONCEPT BASIS ONLY.

1. The property is located in the R-4 Zoning District of the Town. The lots are proposed with municipal sewer and wells. The Bulk information on the plan appears correct for the zone and use group; the table should be expanded to include a value for minimum livable area (1000 s.f. min. req'd) and expanded to indicate values of compliance for each of the 5 lots.
2. I have made a concept review of the plan and have the following comments:
 - a. The applicant will need to arrange a sewer reallocation in connection with the sewer service for the proposed lots. Following the reallocation authorization, a submittal to the NYSDEC will be required for the extension.
 - b. The catch basin shown has no sump. A minimum 12" sump is required. (Also see next comment).
 - c. Water quality for the discharge from the roadway catch basins to the Lake area should be addressed.
 - d. The old abandoned stone well on lot #2 should be noted as being abandoned in a manner consistent with Health Dept. and AWWA guidelines.
 - e. The plan, Dwg. C-1, should note that Amelia Ct. is proposed as a Private Road. The private road agreement should include a utility easement to the Town for the sewer main. (See comment # 5 below).

- f. The applicant should verify that no wetlands (State or Federal) are involved in the site.
3. The Planning Board may wish to authorize a Lead Agency coordination letter to begin the SEQRA review process. NYSDEC would appear to be the only other involved agency.
 4. The Planning Board should consider authorizing the mandatory Public Hearing for this Major Subdivision, as required under Paragraph 4 of the Subdivision Regulations.
 5. The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review. Review by the Town Attorney relative to the sewer easement will also be required.
 6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed appropriate by the Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJS ENGINEERING

CIVIL/ENVIRONMENTAL

MJS Engineering, PC
261 Greenwich Avenue
Goshen, NY 10924
(845) 291-8650 Fax (845) 291-8657

000134

4 January 2001

Mr. James Petro, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

RE: Cherry Valley (Lake Road)

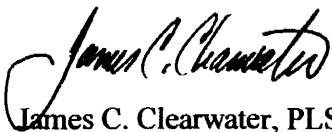
Dear Mr. Petro:

Enclosed are ten (10) sets of plans for the Cherry Valley Subdivision revised to reflect the comments of Mr. Henry Kroll, Highway Superintendent. In particular, the drainage has been revised to add a catch basin along Lake Road and a note has been added regarding brush removal to enhance the sight distance at the entrance of Amelia Court.

The plans have also been revised to reflect several comments raised at the public hearing. A 10 foot clearing buffer has been added around the exterior limits of the subdivision. A note has been added regarding the perimeter stone walls to the effect that they are to remain to the fullest extent possible.

Please place this application on the January 10th planning board's agenda. If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Yours truly,
MJS Engineering



James C. Clearwater, PLS

JCC/gl
Enc.

cc: K. Gass

RESULTS OF P.B. MEETING OF: December 13, 2000

PROJECT: Cherry Valley Sub. P.B.# 00-20

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

Table:

WAVE PUBLIC HEARING:

M) A S) N

VOTE: A 5 N 0

tabled
WAVED: Y ✓ N__

SCHEDULE PH: Y__ N__

"Put on Next Agenda"

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

Andy - Approves Maintenance Agreement - Will notify the applicant to submit executed copies for file.

Circulate letters that

Add note for 10' buffer zone on back of lot. North Property line and perimeter of property

Permission to clear property - place hay bails

In the Matter of Application for ~~Site Plan~~/Subdivision of

Applicant.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

27th day of November, 1920

MARY ANN HOTALING
Notary Public, State of New York
No. 01H05062877
Qualified in Orange County
Commission Expires July 8, 2002



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

November 21, 2000

Vincent DeJana
68 Carlton Ave
Port Washington, NY 11050

Re: 59-2-18.1; 59-2-18.2

Dear Mr. DeJana,

According to our records, the attached list of property owners are abutting to the above referenced properties.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/ bw
Attachments

CC: Myra Mason, PB

59-2-3.2

Erna & Erwin Schelhammer
211 Lake Rd
Salisbury Mills, NY 12577 ✓

59-2-14

Lisa & Oscar Gomez
48 Valley Drive
Salisbury Mills, NY 12577 ✓

59-2-4

Andrew Lelo
5 Hillcrest Drive
New Windsor, NY 12553 ✓

59-2-16 & 59-2-19

Jennifer Bates & Russell Leiter
118 Windsor Terrace
Salisbury Mills, NY 12577 ✓

59-2-5

Robert Witt
7 Hillcrest Drive
Salisbury Mills, NY 12577 ✓

59-2-17.121 & 59-2-17.122

Margaret & Charles Decker
191 Lake Rd
Salisbury Mills, NY 12577 ✓

59-2-6

Elsie & John Pearson
9 Hillcrest Drive
Salisbury Drive, NY 12577 ✓

57-2-1

Beaver Dam Lake
Protection & Reh. District
C/o Dept. of Public Works
Route 17M
Goshen, NY 10924 ✓

59-2-7

Marie & Christopher Moran
13 Hillcrest Drive
Salisbury Drive, NY 12577 ✓

George J. Meyers, Supervisor

Town of New Windsor
555 Union Ave
New Windsor, NY 12553 ✓

59-2-8

Annette & Joseph Capone
15 Hillcrest Drive
Salisbury Mills, NY 12577 ✓

Dorothy H. Hensen, Town Clerk

Town of New Windsor
555 Union Ave
New Windsor, NY 12553 ✓

59-2-9

Elba, Edward & Marion China
17 Hillcrest Drive
Salisbury Mills, NY 12577 ✓

Andrew Krieger, ESQ

219 Quassaick Ave
New Windsor, NY 12553 ✓

59-2-10

Antrim Associates
44 Station Road
Salisbury Mills, NY 12577 ✓

James R. Petro, Chairman

Planning Board
555 Union Ave
New Windsor, NY 12553 ✓

59-2-12

Patricia Stoveland, Steven & Thomas
Hagerth
3 Austin Court
Monroe, NY 10950 ✓

Mark J. Edsall, P.E.

McGoey and Hauser
Consulting Engineers, P.C.
45 Quassaick Ave
New Windsor, NY 12553 ✓

59-2-13

Sharleen & Joseph Wunderlich
50 Valley Drive
Salisbury Mills, NY 12577 ✓

19
mailed



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

13 December 2000

**SUBJECT: CHERRY VALLEY SUBDIVISION
SECTION 59 - BLOCK 2 - LOTS 18.1 & 18.2
TOWN OF NEW WINDSOR, NEW YORK (P/B REF. NO. 00-20)**

To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application for Subdivision approval of the Cherry Valley Major Subdivision located on Lake Road within the Town. The project involves the development of a 3.94 acre parcel into five (5) single family residential lots. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action under SEQRA.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies
Page 2,
Cherry Valley Subdivision

Attached hereto is a copy of the Subdivision Plans (Drawings C-1 and C-2), for your reference. A copy of the Short Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (845) 563-4615.

Very truly yours,

TOWN OF NEW WINDSOR
PLANNING BOARD

Mark J. Edsall, P.E.
Planning Board Engineer

NW00-20L Accord LTR.doc
Enclosure

cc: New York State Department of Environmental Conservation
Orange County Department of Health
Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Myra Mason, PB Secretary
Applicant (w/o encl)
Planning Board Chairman (w/o encl)
Planning Board Attorney (w/o encl)

JANICE MARY GASS

1857

Date 11/13/00

75-197/919
278

Pay to the
Order of TOWN OF NEW WINDSOR \$ 100.00
ONE HUNDRED + 00/xx Dollars



300 N. Middletown Rd.
Pearl River, NY 10965-1299

Payable through First Security State Bank, Sleepy Eye, MN

For

Janice Mary Gass

⑆091901972⑆2780000135451⑆ 1857

© Charles American

REGAL & WORG

845 552-1400
JANICE MARY GASS

1858

87 Scotland Ave
Chestnut Ridge NY 10917

Date 11/13/00

75-197/919
278

Pay to the
Order of TOWN OF NEW WINDSOR \$ 675.00
SIX HUNDRED + SEVENTY FIVE 00/xx Dollars



300 N. Middletown Rd.
Pearl River, NY 10965-1299

Payable through First Security State Bank, Sleepy Eye, MN

For

Janice Mary Gass

⑆091901972⑆2780000135451⑆ 1858

© Charles American

REGAL & WORG

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 583-4611

RECEIPT
#849-2000

11/13/2000

Gass, Janice Mary *#00-20 Application Fee*

Received \$ 100.00 for Planning Board Fees, on 11/13/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/13/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 0-20
NAME: CHERRY VALLEY, LAKE ROAD SUBDIVISION
APPLICANT: DEJANA, VINCENT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/13/2000	REC. CK. #1858	PAID		675.00	
		TOTAL:	0.00	675.00	-675.00

P. Zappalo

MJS ENGINEERING

CIVIL/ENVIRONMENTAL

MJS Engineering, PC
261 Greenwich Avenue
Goshen, NY 10924

(845) 291-8650 Fax (845) 291-8657

000134

29 September 2000

Ms. Leslie Cook, Tax Assessor
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

RE: Cherry Valley Builders (Lake Road Subdivision)
Section 59, Block 2, Lots 18.2 and 18.1, Town of New Windsor

Dear Ms. Cook:

Our client, Mr. Kenneth Gass of Cherry Valley Builders, has an application before the planning board for a five (5) lot subdivision located along Lake Road in the Town of New Windsor. I have enclosed a copy of the two (2) tax bills of this parcel, which will be combined and subdivided.

The question I have is whether or not this property is entitled to two (2) sewer units as it relates to future single-family homes. It is our interpretation that this applicant is entitled to the two sewer connections based upon the previous lots of this total subdivision. Therefore, we would have to purchase three (3) additional units for the total five (5) lots.

Please convey your interpretation of this situation back to me at your earliest convenience. We thank you in advance for your input. If you have any questions, please do not hesitate to contact me.

Very truly yours,
MJS Engineering

Michael J. Sandor, PE

MJS/gl
Enc.

CC: J. Jacobowitz, Esq.
P. Simon, Esq.
K. Gass
M. Mason, Planning Board Secretary✓

TC
RECEIVED

JUL 23 2001

**ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health**

Town of New Windsor Bldg. Dept.

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

**TO: Mary O'Brian Trust
111 Briny Ave.
Pompano Beach, FL 33062**

The Orange County Department of Health certifies that a realty subdivision map entitled Cherry Valley - Lake Road, dated August 1, 2000, latest revision July 18, 2001, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 4.0082 acres Number of lots: 5

Water supply: Individual wells

Sewage disposal: Moodna Creek Dev., Ltd.


Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.
5. **THAT** the sanitary facilities on these lots shall be inspected for compliance with the approved plans at the time of construction by a licensed professional engineer and written certification to that effect shall be submitted to this Department and the local Building Code Enforcement Officer prior to occupancy.

6. **THAT** individual wells shall no longer be constructed or used for household domestic purposes when public facilities become available.
7. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
8. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

July 19, 2001

Date

_____, P.E.
M.J. Schleifer, P.E.
Assistant Commissioner

subapproval



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

00-20

WORK SESSION DATE:

2 May 01

APPLICANT RESUB.
REQUIRED:

No

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Cherry Valley

PROJECT STATUS: NEW

OLD

X

REPRESENTATIVE PRESENT:

Mike Soda

Ken G.

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

@ REC for storm + sewer

@ O/c for health

Write letter to P/B re permission to

install storm + road (maybe sewer)

fax Private # est to Mike S.

CLOSING STATUS

Set for agenda

possible agenda item

Discussion item for agenda

ZBA referral on agenda

pbwsform 10MJ98

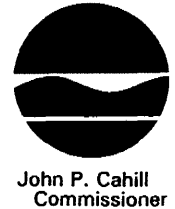
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1696

Phone: (845) 256-3000 • FAX: (845) 255-3042

Website: www.dec.state.ny.us



March 7, 2001

Planning Board Secretary
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

**Re: Cherry Valley Subdivision
Lake Road, Town of New Windsor, Orange County
DEC Project No. 3-3348-00200/00001**

Dear Sir or Madam:

We have reviewed the SEQR lead agency coordination request for the above referenced project which our office received on December 15, 2000.

Based upon our review of the circulated documents, it appears that the project will require the following Department permits:

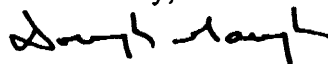
- Article 15, Protection of Waters, for the storm sewer outfall on Beaver Dam Lake,
- The plans for the extension of this project to the Town of New Windsor municipal sewage disposal system must be approved by the DEC's Division of Water. For additional information, please contact Mr. Joseph Marcogliese at (914) 332-1835, extension 359.

By copy of this letter, we are advising project representatives of the potential need for these permits. It is possible that the New York State Department of Environmental Conservation permit requirements noted above may change based upon additional information received or as project modifications occur.

This letter also serves to confirm that we have no objection to your Town Board assuming lead agency status for this project.

Questions pertaining to the Department's jurisdiction or related matters should be directed to the undersigned analyst assigned to the project. Please refer to the DEC project number identified above in all correspondence to the Department. Thank you.

Sincerely,



Douglas Gaugler
(845) 256-3057

cc: Vincent Dejana
M. Sandor, MJS Engineering



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~HIGHWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

JAN 08 2001

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER:

00-20

DATE PLAN RECEIVED:

RECEIVED

JAN - 5 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒ _____,

disapproved ☐ _____.

If disapproved, please list reason _____

Henry Hull 1/10/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~WATER~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **00-20**

DATE PLAN RECEIVED: RECEIVED

JAN - 5 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Cherry Valley Lake rd. has been

reviewed by me and is approved L

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water is - Mrs. Gec.

HIGHWAY SUPERINTENDENT DATE

Stan D. D. D. - 1-10-01
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Cherry Valley Subdivision Plan

DATE: January 8, 2001

Planning Board Reference Number: PB-00-20


Dated: 5 January 2001

Fire Prevention Reference Number: FPS-01-002

A review of the above referenced number subdivision plan was conducted on 8 January 2001.

This subdivision plan is acceptable.

Plans Dated: 21 December 2000 Revision C



Robert F. Rodgers
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T. WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 00-20

DATE PLAN RECEIVED: 12-4-00

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

There is no town water in this area

HIGHWAY SUPERINTENDENT DATE

Stan D. Dio - 12-19-00
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

JAN 08 2001

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER:

00-20

DATE PLAN RECEIVED:

RECEIVED

JAN - 5 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

_____ has been

reviewed by me and is approved ☒ _____

disapproved ☐ _____

If disapproved, please list reason _____

Henry Hull 1/10/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

291-8657

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 00-20

DATE PLAN RECEIVED: 12-4-00

The maps and plans for the Site Approval _____

Subdivision Cherry Valley _____ as submitted by
_____ for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved ✓ - See Attached

If disapproved, please list reason _____

Henry Krull 12-12-00
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 564-6660
Fax: (914) 565-5102

Superintendent of Highways

Henry Kroll

TO: Town of New Windsor Planning Board
FROM: Henry Kroll, Superintendent of Highways H. K.
DATE: December 13, 2000
SUBJECT: Plan No. 00-20

1. Cherry Valley Lake Road Subdivision Plan has been disapproved because of drainage problems. Additional catch basins must be installed along the shoulder of Lake Road and Amelia Court. In addition, the pipe size in the development must be upgraded to 18" and the crossing of Lake Road should be 24".
2. Sight distance is an additional problem. Brush needs to be cleaned.

If you have any questions, please do not hesitate to contact me.

HK/mvz

Cc: file

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: December 12, 2000

SUBJECT: Cherry Valley Subdivision

Planning Board Reference Number: PB-00-20

Dated: 4 December 2000

Fire Prevention Reference Number: FPS-00-043

A review of the above referenced subject subdivision plan was conducted on 12 December 2000.

This subdivision plan is acceptable.

Plans Dated: 22 November 2000 Revision B



Robert F. Rodgers
Fire Inspector



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~WATER~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 00-20
DATE PLAN RECEIVED: _____
RECEIVED
NOV 13 2000

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
Cherry Valley Lake road has been
reviewed by me and is approved ✓
~~disapproved~~ _____.

If disapproved, please list reason _____

There is no town water in Beave Dan

HIGHWAY SUPERINTENDENT DATE

Steve D. De - 11-14-00
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 15 November 2000

SUBJECT: Cherry Valley Subdivision

Planning Board Reference Number: PB-00-20

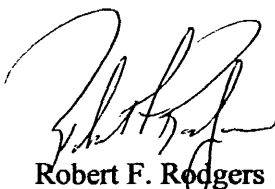
Dated: 13 November 2000

Fire Prevention Reference Number: FPS-00-042

A review of the above referenced subject subdivision plan was conducted on 13 November 2000.

This subdivision plan is acceptable.

Plans Dated: 7 November 2000 Revision 1



Robert F. Rodgers
Fire Inspector



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
☐ Branch Office
507 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B 00-20
WORK SESSION DATE: 1 Nov 00 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Full App
PROJECT NAME: Cherry Valley
PROJECT STATUS: NEW X OLD _____
REPRESENTATIVE PRESENT: Mike Sando / Ker Farr
MUNIC REPS PRESENT: BLDG INSP. pat 552-1400 cell
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

59-2-18.1
59-2-18.2

- will need to purchase sewer
- expand bulk tank
- fill in abandoned well
- P/R easement + util easement to Trw
- all driveways off P/R
- road name - AMELIA CT
- no wetlands -
- need P/H
- major - needs P/H
- 2 existing lots -

CLOSING STATUS

will need to purchase 4 sewer
pbwsform 10MJE98
☒ Set for agenda
☐ possible agenda item after full app.
☐ Discussion item for agenda
☐ ZBA referral on agenda



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B 00-20

WORK SESSION DATE: 16 Aug 00

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Cherry Valley Builders Subdiv

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Ken Gass, Mike Sando

MUNICIPALITY PRESENT: BLDG INSP. _____

FIRE INSP. X

ENGINEER X

PLANNER _____

P/B CHMN. _____

OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Home hotel site
- 2 - 18.1 + 18.2 near Hillcrest
- single lot can't be sold separately 2 front lots own
- never mentioned Majestic take front lot
- Bulk reg'd OK - add provided
- Town - Private Road
- Sub - needs P/H -
- dedication?
- ement
- access off new road.
- 10MJE98
- 911 - ready coordinated
- leave name

CLOSING STATUS

- Set for agenda
- possible agenda item
- Discussion item for agenda
- ZBA referral on agenda

MAY Submit
APP
SOON

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Change ☐ Site Plan ☐ Special Permit ☐

Tax Map Designation: Sec. 59 Block 2 Lot 18.2 AND 59-2-18.1

1. Name of Project CHERRY VALLEY, LAKE ROAD SUBDIVISION

2. Owner of Record MARY O'BRIEN TRUST Phone

Address: 111 BRINY AVE POMPANO BEACH FL. 33062
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant VINCENT DEJANA Phone (516) 292-6000

Address: 68 CARLTON AVE. PORT WASHINGTON, NY 11050
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan MJS ENGINEERING, PC Phone (845) 291-8650

Address: 261 GREENWICH AVE GOSHEN NY 10924
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney PHYLLIS SIMON, ESQ. Phone (845) 634-7947

Address 25 FINCH RD. NEW CITY, NY 10956
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

MICHAEL J. SANDOR, PE. (845) 291-8650
(Name) (Phone)

7. Project Location:

On the WEST side of LAKE ROAD 260 feet
(Direction) (Street) (No.)
SOUTH of HILLCREST DRIVE
(Direction) (Street)

8. Project Data: Acreage 3.94 Zone R-4 School Dist. WASHINGTONVILLE

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

*This information can be verified in the Assessor's Office.

*If you answer yes to question 9, please complete the attached Agricultural Data Statement.

10. Description of Project: (Use, Size, Number of Lots, etc.) FIVE (5) LOT RESIDENTIAL SUBDIVISION. SUBDIVISION TO BE SERVED BY A CUL-DE-SAC ROAD, WITH DRILLED WELLS AND MUNICIPAL SEWERS.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

27th DAY OF July 2000

PATRICK HUTTON
Notary Public, State of New York
No. 01HU5079935

Qualified in Orange County
NOTARY PUBLIC June 16, 2001

[Signature]
APPLICANT'S SIGNATURE

KENNETH J GASS

Please Print Applicant's Name as Signed

TOWN USE ONLY:

DATE APPLICATION RECEIVED

00-20
APPLICATION NUMBER

PROJECT I.D. NUMBER

617.20

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR VINCENT DEJANA	2. PROJECT NAME CHERRY VALLEY-LAKE RD. SUBDIVISION
--	--

3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR County ORANGE
--

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) LOCATED ON THE WESTERN SIDE OF LAKE RD (ON BEAVER DAM LAKE), JUST SOUTH OF HILLCREST DRIVE.
--

5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration

6. DESCRIBE PROJECT BRIEFLY: FIVE (5) LOT RESIDENTIAL SUBDIVISION. SUBDIVISION TO BE SERVED BY A CUL-DE-SAC ROAD, WITH DRILLED WELLS AND MUNICIPAL SEWERS.
--

7. AMOUNT OF LAND AFFECTED: Initially 3.94 acres Ultimately 3.94 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: R-4 SUBURBAN RESIDENTIAL (EXCLUDING 2 FAMILY)

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval
--

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No N/A
--

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: **KENNETH J GASS**Date: **7-27-00**Signature: 

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
☐ Yes ☐ No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

_____ Name of Lead Agency

_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from responsible officer)

_____ Date

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

MARY O'BRIEN TRUST, deposes and says that he resides
(OWNER)

at 111 BRINY AVE POMPANO BEACH FL in the County of _____
(OWNER'S ADDRESS) 33062

and State of FLORIDA and that he is the owner of property tax map

(Sec. 59 Block 2 Lot 18.2)
designation number (Sec. 59 Block 2 Lot 18.1) which is the premises described in

the foregoing application and that he authorizes:

VINCENT DEJANA 68 CARLTON AVE. PORT WASHINGTON, NY
(Applicant Name & Address, if different from owner) 11050

PHYLLIS SIMON, ESQ. 25 FINCH RD. NEW CITY, NY 10956
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 7/27/00

[Signature]
Witness' Signature

[Signature]
Owner's Signature

[Signature]
Applicant's Signature if different than owner

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

00-20

NewWindsor01.1.et

CHERRY VALLEY BUILDERS, INC.

FAX #: 845-563-4693

November 13, 2000

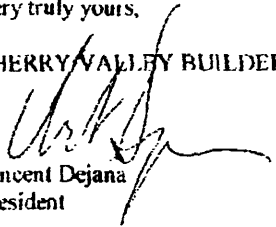
Ms. Myra Mason
Secretary of Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Dear Ms. Mason,

This is to confirm that Ken Gass is authorized to sign on behalf of Cherry Valley Builders any and all documents pertaining to the business of the company.

Very truly yours,

CHERRY VALLEY BUILDERS, INC.



Vincent Dejana
President

110 Cherry Valley Avenue
West Hempstead, NY 11552
516/292-6000 Phone
516/292-6390 Fax